BEAVER ARGUS.

Wednesday, Feb. 17, 1864.

D. L. IMBRIE, Editor & Proprietor.

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THE CONSCRIPTION ACT IN THE SUPREME COURT.

Opinion of Judge Agnew.

The following is the able opinion of Judge Agnew upon the motion to dissolve the injunction heretofore granted to restrain the Provost Marshal from taking drafted men under the conscription law:

These bills were presented to Mr. Justice Woodward at Nisi Prius, who called in his brethren to sit with him. The bills were presented on behalf also of all other citizens entitled to the same remedy, and prayed that the defendants as officers of the draft should be restrained "*from proceeding with or under the enrollment requisition and draft of citizens of this Commonwealth.*"

All of the Judges delivered opinions and a majority directed a preliminary injunction as to the complainants specially. Afterwards the Solicitors of the Draft representing the Government in their behalf, but who had not appeared at the argument, moved the Court of Nisi Prius Mr. Justice Strong occupying the bench, to dissolve the preliminary injunction, on the grounds of a want of jurisdiction; that the bill will not lie for a tort only *in posse*, and that the law for enrolling of the national forces is constitutional; and ought not to have been arrested, and the officers exposed to punishment.—It is objected *in limine*, that the preliminary hearing having been before full bench, it is incompetent and incoorous in a single Judge at Nisi Prius to entertain the motion to dissolve without new facts arising in the case.

By the constitution of Nisi Prius, it is a court of but one judge, and he sits simply to hear all cases at law and in equity. It is true the bench is filled by alternation, but the court remains always the same, though the person changes. The motion was made to the same court though to a different individual, and therefore he was competent to receive it. Being made, certainly it was not indecorous to call in all the Judges to hear it.—This only exhibits the deference of the Judge to his brethren. Had Mr. Justice Woodward decided the case alone, as he could have done, certainly it would not have been incompetent or indecorous in him to have rectified his own error, if he had become satisfied, he had committed a pernicious mistake. I think I can safely say his error alone would have caused him to be at once. I can perceive no reason why the whole bench should be consulted upon what should a Chamber Judge cause a decree to be entered, why should the whole of justice be kept under one judge and closed under another.

The case was then pending, having yet had no final judgment. In fact the record shows that the complainants had not given security, and the injunctions have not been issued. No real harm can be done the complainants, while the Government is suffering from a hurtful precedent. The proceeding is in chancery, and allows the largest discretion to reach justice. If a court had summarily interposed between the law and its execution, stopping the machinery of Government with a sudden jar, it was as much the duty of the court to retrace its steps hastily, when convinced of error, as it certainly is a sentiment of patriotism and courtesy to the Federal Government.

It is true as a general rule that a court will not be moved summarily to dissolve an injunction, without a suggestion of new facts, and will leave the party to an issue formed in the due course of pleading. The learned arguments to prove what is not denied, can scarcely be deemed necessary.—But this is no such case, and cannot be disposed of by such a rule. It reaches the vital powers of the Government, arrested violently in their execution by a State tribunal at a time of great peril. The Government was not represented at the preliminary hearing, and ought not to be prejudiced by the fault (if any) of its agents. Government, which acts only through agents quickened by no personal interest, is never to be considered derelict where the default is still open to correction. No new facts need be alleged. The facts of the bill are not denied. It was the conclusion only stated in the bill which was denied. The alleged error was patent upon the face of the bill. The court heard but one side, the opponents of the law. The hearing took place in the midst of an exciting political campaign, when the spirit of party was assailing the law with furious lashes, and vigorously hounding on all its own adherents to the chase, to be in at the death. The decision was by a bare majority, against the earnest dissent of two judges, and partially established non coercion, a doctrine rooted in and half-brother to secession. The late Chief Justice, whose honest mind, I have no doubt, felt penetrated by these surroundings in delivering the opinion of the majority, had expressed some distrust of his own convictions, and conceded that further argument on final hearing might possibly change the result.

Under these circumstances, and in a case of such momentous importance, the majority planting the decision upon a gross violation of the Constitution by the people's representatives, never was a judge more justifiable by sound discretion, exalted patriotism, high decorum, and purity of purpose, than was the judge ordering this motion to be heard before us all. In this he was virtually approved by all, for none of us refused to sit.

We heard the case, and now it must be decided Shall we refuse to restore the Federal Government to its rightful position on a mere technicality? We know it is only a rule of procedure to protect the Court against the annoyance of defeated suitors. Shall we stick in the bark when we know the only true question raised in the bill itself is the rightful power of Congress to pass the law? The complainant must stand on this ground at last in the final decree. What new fact can be urged? It is admitted the answer cannot deny the facts. The Government relies only on its rightful authority to do the acts alleged in the bill. The issue is the invalidity of the law, and this appears now as fully as it can appear hereafter. Then why this labor upon a point which involves nothing and decides nothing? When we have labored with all our powers, in the and all we can say is *mons laboravit et mus eucurrit.*

But on the other hand, if we permit this unsubstantial technicality to prevail, what is its effect? It leaves the draft officers liable to a penalty in either way. If they disobey the injunction they will be attached. If they obey it they will be displaced.—In either direction they must suffer. If we have fallen into a grievous error shall we not retrace our steps, and relieve the officers from their predicament and the government from injustice?

We make no precedent for ordinary suitors. On the contrary we tell them it cannot be drawn into one; for while we recognise the rule we declare it has no place here, before us as chancellors, in a matter of pure discretion, so vital to the Federal Government, and under the circumstances surrounding the case. If others professing, and doubtless possessing, equal patriotism are willing to permit this merest shadow of a technicality to interpose between the Court and restitution of the rights of the Government, I regret they so magnify art above justice, but I cannot adopt their views.

It is said that the new member of the bench is bound by the rule of *stare decisis*. I bow to this safe maxim wherever it applies, and conceive it would be sad indeed if the reputation of this Court were to suffer by my breach of it.

But it is admitted that on a final hearing I must decide as my views and conscience dictate. And why not now? I find the case before me, and I certainly cannot decide it against all my convictions of law, duty and patriotism. But if is thought it would be asserting a principle contrary to the genius of the Constitution and the safety of society that causes should not be governed by solemn decision, but the result of election. I question the propriety of introducing the results of the election here, and think that the application of such a test, which leaves us without a judicial mind and makes us the mere registers of popular edicts, savors more of offence than argument.

What mind can for an instant suppose that any bench having a proper self respect, can be governed by the popular upheavings, and reverse a solemn decision to satisfy popular demands? It needs no argument to prove to sane men that such a principle would do violence to public security and judicial propriety. By what authority of position or propriety can any one say that the opinions of any member of the bench are not the result of sound law and pure motives, but the registration only of popular edicts? What has turned the thoughts of any one into such a channel instead of following the obvious open path of decorous inquiry? Is this such a case; do we violate any principle here?

On what principle, therefore, is *stare decisis* quoted to me? Is it merely to sustain the decision of a bare majority against a strong dissent establishing the doctrine that national forces cannot be raised to suppress insurrection, nor indeed used for such purpose, made in a one-sided hearing of the opponents of the law, in a preliminary way during a time of high excitement when partisan rage was previously assailing the law—a decision tending to encourage a general rush into the Court, and to put an end to the levying of troops, and inciting to forcible resistance under a persuasion of the law's invalidity.—The decision has become no rule of right, and has fixed no status of society, while it is founded in my judgment, in the most pernicious error.—Surely this is no case for *stare decisis*

I make no point of the popular verdict in this State. I shall not write it up; and I am sure I am under no necessity to write it down.

To prevent misconstruction, I desire to say, I refer to the pressure of the late political canvas upon the former decision, only to indicate the unconscious influence of preconceived opinions. These predispositions seemed to operate, as if by a law of our nature; and are exemplified even in religion, which descends from father to son and often controls the judgment, rendering it blind to the most palpable errors. A like influence is also to be found in the prevalence of national prejudices and errors.

Believing that law, duty, patriotism and justice require the preliminary order to be rescinded, I proceed to the grounds which, in my judgment, place the power of the Government above successful disproof.

The bills before us pray for relief against the act of Congress, of the 3d of March, 1863, "for enrolling and calling out the National forces," politically known as the conscription law. The ground of relief is its alleged unconstitutionality.

The essential features of the law are these: It ascertains who shall be liable to military duty, and provides for their enrollment. It authorizes a draft by lot of the number required by the President to be called into service, and provides for enforcing the call, and it empowers the President to assign them to service as he shall determine.

Is this mode of raising a national military force to suppress the existing rebellion, unconstitutional?

The presumption is that Congress has acted within the scope of its powers, and as said by C. J. Marshall, in Fletcher vs. Peck, 6th Cranch, 87, "it is not on slight implication or vague conjecture, the legislature is to be supposed to have transcended its powers, and its acts considered void. The opposition between the constitution and the law, should be such that the judge feels a clear and strong conviction of their incompatibility with each other."

It is conceded that the power of Congress is two-fold; first, to raise national forces in the clause "to raise and support armies;" secondly, to call forth the militia "to execute the laws of the Union, suppress insurrections and repel invasions." But the constitutionality of the law is denied on the grounds that national armies can be raised only by voluntary enlistment, and not by draft; and that this law is not an exercise of the power to call forth the militia, but comes into conflict with the clauses in the Constitution relating to the militia. The grounds of conflict alleged, are: That national forces cannot be raised to suppress insurrections, but the militia must be called forth; that this law covers the whole ground of the militia, exhausting it entirely and is therefore an authorized substitute for the militia of the States, annulling the remedy provided by the Constitution for insurrection.

Can the national armies be raised or recruited by draft?

That the United States are a nation, and sovereign in the powers granted them, is not denied. Their national characteristics are seen in the powers themselves, and their supremacy provided for in the instrument. They possess all the functions of a nation in the law making, executing, and judging powers.

We cannot conceive of a nation without the inherent power to carry on war. The defence of person and property is a right belonging by nature to the individual and every individual, and is not taken away by association It therefore belongs to individuals in their collective capacity, whenever thus threatened or assailed. The Constitution, following the natural right, vests the power to declare war in Congress—the representatives of the people. It is not ceable that the Constitution recognizes this right as pre-existing; for, it says, to *declare* war, which pre-supposes the right to *make* war. The power to declare war necessarily involves the power to carry it on; and this implies the means; saying nothing *now* of the express power "to raise and support armies" as the proviso means.

Vattel (book 1, chap 2, sec 18) after proving the national duty of self-preservation, growing out of the nature and obligations of association, says: "Since, then, a nation is obliged to preserve itself, it has a right to *everything* necessary for its preservation. For the law of nature gives us a right to everything, without which we cannot fulfil an obligation; otherwise it would oblige us to do impossibilities, or rather would contradict itself, in prescribing us a duty and at the same time debarring us of the only means of fulfilling it."

Burlemaqui, in his Politic law, (part 4, chap. 1, sec. 11) also says: "The law of God no less enjoins a whole nation to take care of their preservation than it does private men."

Again, in section 12: "Herein it is certain that the sovereign, in whose hands the interest of the whole society is lodged, has the right to make war. But if it be so, we must of course allow him the right of employing the *several means* necessary for that end. In a word, we must grant him the power of *levying troops* and obliging them to perform the most dangerous duties, even at the peril of their lives. And this is one branch of the right of life and death which manifestly belongs to the sovereign."

The right to the means carries all the means in possession of the nation. Every able bodied man is at the call of the Government, for assuredly in making war, as there is no limit to the necessity, there can be no limit to the force to be used to meet it. Therefore, if the emergency requires it, the entire military force may be called into service.

But the power to [illegible] and to call the requisite [illegible] service. The power to draw [illegible] without the power to carry on [illegible] means the power of war without the [illegible] means is really no power—[illegible] criticism.—Voluntary enlistments [illegible] grounded in contract. A power [illegible] command differs essentially from [illegible] to contract. The former [illegible] from authority, the latter from assent. The power to command [illegible] a duty to obey, but the effectual [illegible] ment of contract is freedom [illegible] or dissent. It is clear, [illegible] that the power to make war [illegible] that the power to command troops [illegible] to the field is impotent; in point [illegible] it is no governmental power, because it lacks the authority to execute itself.

So much can be argued conclusively, from the fact the [illegible] Union is a government of nat[illegible] powers and has the express authority to declare war and to provide for the common defence and general welfare.

But when we [illegible] the express grant of the means of making war, we find it a gene[illegible] grant of the power "to raise and support armies," without any exception as to the extent, the mode, or the means; only that appropriations for the purpose shall not be made for more than two years; which strengthens the grant in every other respect.

Here then is a grant, in the broadest language, to raise armies, and the purposes (of which I shall say more, presently) are vital and fundamental. What is the rule of interpretation to be applied as settled by the Federal judiciary?

In Gibbon vs. Ogden, 9 Wheaton 188, C. J. Marshall says: "We know of no rule for construing the extent of such powers other than is given by the *language* of the instrument which confers them, taken in connection with the *purposes* for which they were conferred." Then, speaking of the misapplication of the doctrine of strict construction [illegible] language which seems as if written [illegible] this time and occasion, he says: [illegible] contend for that narrow con[illegible] in support of some[illegible] in the Constitut[illegible] the Government [illegible] the words of the grant, but those words must be understood, import, and which are consistent with the general views and objects of the instrument—for that narrow construction which would cripple the Government and render it unequal for the objects for which it was declared to be instituted, and to which the powers given, as fairly understood, render it competent—then we cannot perceive the propriety of the strict construction, nor adopt it as the rule by which the Constitution is to be expounded."

In Martin vs. Hunter, 1 Wheaton 304, Mr. Justice Story said: "This instrument, (the Constitution,) like any other grant, is to have a reasonable construction, according to the import of its terms: and when a power is expressly given in general terms, it is not to be restrained to particular cases, unless that construction grows out of the context expressly or by necessary implication."

It is conceded that in construing the Constitution we must take it as a whole, and not confine the question to a single isolated grant of power.—But where a general power is vested in plain and absolute language, with one exception or proviso for high, vital and imperative purposes, which will be crippled by interpolating a limitation, the advocate of the restriction must be able to point out somewhere in the Constitution a clause which declares the restriction, or a higher purpose which demands it. But by so much more as the life of a nation is greater than the life of an individual, which may be taken to preserve it, by so much greater is the high purpose of raising an army to preserve the nation than the protection of the rights of the individual. The minor purpose, when urged as a reason for the limitation, cannot therefore be allowed to control the meaning of the plain language used for the major purpose.

Then the inherent powers of a nation to make war for self-preservation, carrying with them all the means of making war effective, the express power to declare war and to raise and support armies, coupled with the express power to pass all laws necessary and proper to carry these powers into effect, all unite in sustaining the powers to raise armies by coercion, and these are in turn sustained by the high, vital and essential purposes of the grant. In addition, the considerations derived from the constitutional duties of the government, and the constitutional restrictions upon the States enforce this conclusion.

If, as inferred only, the Constitution denies coercion, what is its purpose in this?

The power to raise armies by draft lies somewhere—if not in the Union, it belongs to the States. But if it abide in the latter only, how is it to be used at all? They cannot declare war, for this power clearly belongs to the nation alone. They cannot make treaties, contract alliances for mutual assistance, make peace, or do any act requiring forces to answer such stipulated duties, for those powers belong to the Federal Government and are forbidden to the States. They cannot "grant letters of marque or reprisal," "keep troops or ships of war in time of peace, enter into any agreement or compact with another State or with a foreign power, or engage in war, unless when actually invaded, or in such imminent danger as will not admit of delay."

It does not belong to the States to provide for executing the laws of the Union, or for suppressing insurrections. Nor does it belong to one State to defend others against invasion. Of what use, then, is the compulsory power to raise armies, to the States as such?

But it does belong to the United States to provide for the common defence and general welfare; to execute the laws of the Union, to suppress insurrections and rebel invasions; to protect the States themselves against invasions and domestic violence, and to guarantee to them a republican form of government. If we deny the Union the means of raising armies by draft and leave coercion to the State, how are all these high Federal duties to be performed?

When it is said that Congress shall have power to call forth the militia for *three* purposes, is clear this is not a clear this is not a call by the *States* of their own militia. Congress organizes armies and disciplines, while it is left to the States to officer and train only. The State cannot constitutionally know when and for what purpose to call out the militia. This belongs to Congress, which was legislated, vesting the power in the President and prescribing the terms of its exercise. See acts of 28th Feb. 1795, and 3d March, 1807; Brightly's Dig. 430. He is to designated the States from which the militia shall come and direct whither they shall go. The whole affair is national, not State.

The three purposes alluded to, indicate this. By what State authority will Pennsylvania draft her militia to resist an invasion of Louisiana, suppress insurrection in Florida, or execute the Federal laws in Texas? She cannot bind herself by treaty or alliance to furnish troops. She cannot throw herself back upon her powers as an independent sovereign State, for she is, under the Constitution, and this vests the power over the militia [illegible] Federal purposes in the Un[illegible] of the requisition [illegible] cannot say I will draft so many, or any proportion only. Indeed she can say nothing, for if it rested with the State alone to call out her militia to execute the Fedral duties, even on the call of the President, the Union would be at the will of the State, and in no better condition than under the Articles of Confederation. If the Executive of the State refused to draft, supported as he might be by his own people, what remedy has the Federal Government? Not even impeachment, for that would depend on the State Legislature.

Then what becomes of this power to draft as residing in the State only—this *parens patriæ* power so much referred to? It is of no value to the Union, for the State is *neither permitted nor commanded* in the Constitution to use it for national purposes. It is of little value to the State, for the Federal Government must protect her against invasion, and against domestic violence if her *posse comitatus* fail. Thus we have reached a point where an admitted soverign power is sunk somehow between the two Governments, and neither can exercise it for any national or valuable purpose.

It is, therefore, a strong fact in the Constitution itself, that correlative to the power of the Union to raise armies, and to organize arm and discipline the militia and call them forth, is the omission of all authority in the States to raise forces for national purposes; and coinciding with this, that there are constitutional restrictions incompatible with the exercise of any such power.

It is thought the drafting power is incompatible with the provision for the process of law. It would be a sufficient answer to say, this being true, that the State itself could not draft; for the ninth section of the ninth article of the State Constitution has a provision precisely equivalent, as shown by Mr. Justice Curtis in Murray's Lessee vs. Hoboken Land Company, 18 Howard 276; the expression "law of the land," being tantamount to "due process of law."

But it is not denied that wherever technical phrases were used, or expressions having a fixed meaning when the Constitution was ratified, we should adopt their technical or received sense. Hence we interpret "*habeas corpus*," "bill of attainder," "levying war," "trial by jury," by their known meaning at the time.—But the language "to raise and support armies" was neither technical nor fixed in meaning as to any particular mode or means ascertained at the time, and was composed of words of ordinary import. They have no special history bearing upon their use.—The power to draft is admitted in the State. When the States parted with powers contained in language apt to carry the draft, no exception was made, and due process of law was not prescribed in any particular form. On the other hand, as we have already shown, the inherent power of a nation and duty of self preservation the expressed grant of the power to make war, with the means of carrying it on, the duties to the nation and the State imposed upon the National Government, and the duty to individuals to protect their rights guaranteed by the Federal Constitution, all give to the words their natural, general and obvious scope.

Then how can it be said the prase "to raise and support armies" cannot mean to include a draft, because this would not be by due process of law?

What is the due process of law?—Does it mean when a power is given in plain language, it shall not be exercised, because no exact precedent of the process of law can be found in some antecedent form of government? Does it mean that Congress is incompetent to declare the due process of law, by prescribing a reasonable legal form of procedure through which the power is to be exercised? If so, that will become of the Fugitive Slave Law and all laws under those peculiar powers conferred on the General Government, having (at the ratification of the Constitution) no precedent, perhaps in the annals of any country or period? The argument which would construe the meaning of the words "to raise and support armies" by the provision for due process of law, to exclude coercion, it seems to me is unfounded in any just interpretation of the instrument.

The sum of the argument is simply this, that no mode can be used but one known before to Great Britain or the United States under the Articles of the Confederation.

As to the historical argument, though charmed with the richness, fullness and classical elegance of the effort as a contribution to legal literature, I must say the history itself leaves no impression on my mind, for several reasons. There is no special history bearing directly on the clause in question, to help us out. The historian admits the power of the "conscription" in the State, which therefore could impart it to the Union.—The history of Great Brittain is equivocal, and the distinction between conscription and impressment known at the formation of the Constitution, is the strongest reason why the latter, at least, should have been provided against. Colonial history furnishes no argument; for impressment was a complaint against the King, to be found in the Declaration of Independence; and and yet no provision was introduced. The history under the Articles of Confederation proves nothing, for the weakness of the Confederation was one of the very reasons for forming the Constitution. The history, since its adoption, is no better; for, since 1789 until now, a conscription has never been necessary. The war of 1812 is no exception. So far as our territory was involved, it was a war of invasion by a distant, ocean-divided country, incapable (owing to the state of naval affairs) of throwing a large force upon our shores, as compared with the magnitude and power of this rebellion. It was a period when the proportion of the population to the number needed was vastly greater, and when the spirit of union and patriotism was easily invoked against a common foe; while now the country is a prey to rebellion, irruption, disloyalty, want of sympathy, and all the ills of an insurrection within its own bosom. The whole current of history, therefore, proves the most incomprehensible dullness in a body of men heretofore renowned for their wisdom, in not providing against a tyranny alleged to be so gross, yet within their view; or it speaks trumpet-tongued against the very interpretation it is invoked to support.

I have alluded to, but not developed, the Federal duty of protection to the personal rights of individuals. The right of war is at the foundation of all governmental protection. If the rights of citizens be invaded by foreign powers, a resort to arms is the only answer to justice denied. If their rights be denied by States against the declared provision of the Constitution securing equality of privilege, military force is the final remedy. Turn to Article 1, Section 9, Article 4th, and to the Amendments, and see how many and important are these rights. If State privileges be denied, contracts impaired, *ex post facto* laws enforced, personal liberty abridged, the trial by jury infringed, or any other right thus secured denied, this fact brings us into the Federal Courts, whose judgments become law, and therefore entitled to the aid of the military arm of the nation to compel their exention. Let bitter inter-States controversy arise and the people become blind to justice and insensible to reason, and value this sovereign controlling power immediately rises to view.

Yet, with the Federal Constitution before our eyes, securing to the citizen all his great and fundamental rights of personal and civil liberty, and pledge each branch of the Government, by the solemn sanctions of oaths and the penalty of impeachment, to the execution of its laws, it is argued that the military necessary to the final and complete protection of these liberties, cannot be given to it, but must be vested in separate States sovereignties, wanting in power beyond their own boundaries, incapable of contract by treaty or alliance, inferior in means, unpledged to Federal duty, and discordant in purpose and in action.

And on what plea is this? Forsooth on the plea that the States are the only true representatives of popular rights—a position founded in a total disregard of the fact that in respect to the powers and duties vested by the Constitution (which, by its own terms, is the supreme law and the security of these rights,) the Federal Government is the first and highest representative of the popular will, as well as the strongest bulwark of popular rights. Is not the Executive elected by the people, and directly responsible to them? And are not the members of the House the representatives of the people, elected by them, and holding the purse strings of the nation, thereby controlling both army and Executive? Thus the people themselves control both State and Federal Governments, with this advantage also, in favor of the nation, that a majority of the whole people control it for the benefit of all, while the States are controlled by jarring and discordant interests. This argument, which thus saps the vital powers of the nation at their centre, has, it seems to me no illustration more fitting than the fable of Æsop, in which the members are represented as rebelling against the stomach, the source of their strength.

There are strong considerations in support of the power to draft, arising in the character of that voluntary enlistment which lies at the bottom of the opposite argument.

Courtiers may whisper in the ear of royalty, the King can do no wrong. Demagogues may sound the praises of the people. But Courts of justice, as well as human nature, can found nothing on the mere willingness of men to perform legal duties in the absence of the sanction of law. What is true foundation of civil liberty?—Why are laws and constitutions formed? For what are penalties and criminal jurisprudence established? Why are governmental powers given to protect society against sedition and insurrection? Clearly to defend man against himself.

Why does the Constitution guarantee to the States a republican form of government? Does not this import that a majority, or some large portion of the people, is potent to destroy their own liberties? Why protect the States against domestic violence, enforce the execution of the laws, and suppress insurrection by the arm of military power? Do not all these imply commotion and disorder at variance with the theory of unreserved submission to the general good, and therefore at variance with popular willingness to enlist?

Thus no matter how grateful the flattering incense to the pride of popular vanity, mere willingness is no substitute for authority, and no foundation for governmental power. In the name of civil liberty and a nation's welfare, are the security and prosperity of this Government to berested on the changing passions of mankind, unsupported by a power of command?

Who are the people? Were they those who, according to the forms of the Constitution, in 1860 chose a President? He wields the lawful authority of the nation, yet it may be said he represents minority views, and popular willingness will thereupon refuse to enlist. Were they those who in 1862 revolutionized the popular voice of the great States of New York, Pennsylvania, Indiana and Illinois? Or were they those who produced a counter revolution in 1863 in the same States, thereby reinstating popular willingness? And remember this is no unmeaning question, when you consider the power of State.

Can it be that this heaven ordained Union the light of the nations, the hope of the world, the protector of States, the defender of personal rights, the guarantee of free government, shall depend for its own safety and for the performance of all its high duties on the ever-changing hues of popular opinion, or the varying moods of State Executives.

When the voice of the people through the forms of the Constitution speaks from the ballot-box, we listen to it as the great rule of government, and submit to what it decides. But, like every other act of power, it is potent only within the scope of its authority. Then surely the interests of a nation have not been made dependent on the discordant tones of local divisions.—If their voices speak to us from the ever-changing spots on the chess board of States, how shall we learn this lesson of willingness in national affairs? Is it the intention of the Constitution that every great popular feeling founded itself upon the extremes of popular opinion, shall depend for its suppression on the unstable willingness of men to enlist? Yet this is the doctrine which scouts the power to enforce war by arms, and rest it upon the sheer impulses of the people. I speak of national forces, not forgetting the militia, as we shall presently see.

I deny, then, that interpretation of the Constitution which would by mere implication, destroy its language, its consistency, its wisdom, its duty, its power and its protection; and for myself I would protest against this suicide of national life in the name of patriotism and civil liberty, of my country's welfare, its honor and renown.

Must we forget all history and our own short recollections? Must we ignore that conduct of States which brought the Constitution into existence, "in order to form a more perfect Union, establish justic, *insure domestic*

tranquility, provide for the common defence, promote the general welfare, and secure the *blessings of liberty* to ourselves and posterity?" Then, after all this, must we forget the whiskey insurrection, the opposition to the embargo and to the war of 1812, the South Carolina nullification and the Dorr rebellion?

Must we blot out our memory of the last three years, when States and people rose against the Constitution and authority of the Union, and ordained them null and void; when the ministers of justice and all Federal officers in all those States resigned or were forced to retire; when the forts, arsenals and other property of the Government were seized and its armies surrendered? Must we forget that when the States were first called on for troops, States not then in rebellion, through their Executives, hurled back the President's Proclamation into his face, and that troops, sent to the succor of the Government, to save its capital from capture and its archives from destruction, were murdered in the streets of a neighboring city? Are we to ignore the fact staring Congress in the face at the time of the passage of this very law, that the impulses which first drew out volunteers were dying away—that as war was prolonged, and death, disease and discharge thinned the ranks of the voluntary element, as disasters overtook us and the scales of battle hung in doubtful equipoise, the spirit of enlistment drooped, flagged and died away, while the ties of home and interest, and the spirit of disaffection, more potent than patriotism, asserted their sway over the remaining elements.

Shall we ignore all these speaking histories, all these bitter recollections, and the plainly written powers of the constitution, to trust our country to the changing, fitful moods of voluntary enlistment? Shall we throw the ability of the Federal Government to make war and to execute all its high duties into the boiling caldron of party politics, watch its ebullitions, and wait to see whether the zealous Abolitionist, the cautious Conservative, or the non-coercionist shall succeed in the civil contest? Shall we meanwhile leave the general Government, the protector of our rights, the only unit in council or action, to struggle feebly against a giant usurpation, whose clutch is upon its throat and whose venom is penetrating every vein and fibre.

Then where in the Constitution does the opponent of this power find his argument? Does he fly to the letter? It is a wall of adamant to national and State repose. Does he ask its design? It proclams peace to the nation and safety to the State. Does he fall back on duty? It is bound all round to protection with "bands of iron and hooks of steel." But it is to none of these he flies. It is to a mere inference which recoils to his destruction—a barb that stings—a shaft that impales.

Finally, It is said that this law is incompatible with the provisions of the Constitution in relation to the State militia—that the militia is a State institution continued by the Constitution, which cannot be taken away, but only regulated by the mode provided—that this law covers the whole ground of the militia and exhausts it entirely—that therefore it is an unauthorized substitute for the militia, annuls the remedy provided by the Constitution for insurrection, and substitutes a new and unprovided one.

This whole argument proceeds upon the basis that national forces cannot be raised to suppress insurrection, and that it can be suppressed only by the use of the State militia, and upon the further ground that the military element of the population cannot be exhausted in the execution of any power granted to the Federal Government, even when essential to its execution—It therefore substantially denies the supremacy of the Federal over the State law, when the subject-matter, viz: the military element, is one over which they have concurrent jurisdiction.

If it be true that insurrection *can* be suppressed by the use of national forces, then the power to draft to suppress insurrections falls within the power to raise and support armies, basis already shown. If it be true that insurrection can be suppressed *only* by the use of the militia, then it is also true that the militia only can be used to execute the laws of the Union and to repel invasions, for the same argument which proves the incompatibility of the one, necessarily proves the incompatibility of the other two, for all are engrafted upon the same stem.—The incompatibility supposed to arise out of the maxims, "*expresso unius est exclusio alterius*," and "*expressum facit, cessare tacitum*," applies to the first and last terms of the clause, as well as to the middle.

Now, clearly it is not the intention of the Constitution, if its law be resisted or an invasion be attempted, to forbid the use of the national forces raised and in readiness for the emergency, and to require the Government to await the tardy progress of calling out the militia. Yet the advocate of this incompatibility must submit to this conclusion, for this argument proves all these terms in the clause to be on the same footing.

These militia, at times, may be a great additional aid to the national forces, and surely are not intended to supercede them. Then, on what different footing does insurrection stand? None in the Constitution, for there it is only one of the triple prongs of the same power. None in the urgency, importance or necessity of the duty.—Invasion may come suddenly from a foreign foe, while enforcement of the laws is twin brother to suppression of insurrection, for both suppose breach and resistance to law

Neither the resistance of the thing, nor the obligation of the Government, admits of the enforcement of any of those three duties being confined to the militia. It owes security to the nation collectively, its laws, its authority and its soil. It owes protection to the States individually, their domestic tranquility and their freedom of government. Are the arms of the Union powerless for these purposes, and can the militia only perform these duties?—The question answers itself. The State case is to refute it.

The assumption is also contrary to ancient practice and uniform construction. By the Act of 3d of March, 1860, Section 1, Congress provided for the use of both land and naval forces to suppress insurrection. The Act of 2d of March, 1833, Section 5, provided for the use of the same forces when the laws, their execution, or the process of the Courts are obstructed by military force in a State. During the nullification movement President Jackson garrisoned Castle Pickney and Fort Moultrie with regulars under the immediate command of General Scott and anchored vessels of war in the harbor of Charleston under the orders of Commodore Elliott. In latter days the army has been used in Kansas and Utah. Who ever intimated that these laws and Executive acts were unconstitutional, and that the militia alone should have been called for. But *tempora mutantur, &c.*

The truth is that instead of the power to call forth the militia being in exclusion of any of the preceding grants of the power of war, to raise armies, maintain a navy, &c., or operating as an exception or a proviso, it is a continuation of the enumeration of powers, and is an additional grant subsidiary to the former, as its place in the section, its terms, its design and the subject-matter, all import. While the framers of the Constitution intended that the nation should possess the primary and essential means of self-preservation in its fullest extent by the power to declare war, raise armies and maintain navies, and provide for the common defence, &c., they also foresaw, through the genius of the people, the nature of the government as a representative democracy, and the force of other powers and limitations operating, that it would be unlikely that a large standing army would be always on foot, and the nation thereby ready for every emergency. The election of Representatives being biennial, the origination of revenue bills confined to the Representatives, appropriations to the army limited to two years (or one Congress,) and the spirit of opposition to standing armies made it unlikely that sufficient regular force should be ever ready to meet unexpected opposition to law, powerful insurrection and sudden invasions. No better illustration need be furnished than the actual state of the national force at time of the Whiskey Insurrection, and at the outset of this rebellion, and even at this hour, if we reduce the force to the enlisted regulars, as the argument calls upon us to do. Hence the power to call out the militia in the three cases was added. Addition is not exclusion, and it does not say You *shall not* use the national forces because you *may* use the militia.

The constitutional authority to use the national forces creates a corresponding duty to provide a number adequate to the necessity. The duty is vital and essential, falling back on the fundamental right of self preservation, and the powers expressed to declare war, raise armies, maintain navies, and provide for the common defence. Power and duty now go hand in hand with the extremity until every available man in the nation is called into service, if the emergency require it, and of this there can be no judge but Congress.

They may proceed therefore to the exhaustion of the whole element from which the State draws it militia, for the people under the two powers are the same; while the supremacy of the national power, provided in section 2, of article 6, necessarily draws to itself the whole number, if required by the exigency, to the exclusion of the State power.

And in reason why should a major power be restricted by a minor? The power to raise armies comprehends for its purposes the whole scope of the purposes of armies, while the authority to call out the militia is confined to the enumerated three.

But it is a mistake in fact to say this case exhausts the militia. It enrolls probably all, for how can any be drafted without all be known? But the draft is confined to so many as are needed for the emergency, while the others remain in the militia. And if you deny the power to repeat the draft, what is that but to say, your force shall not increase with the necessity?

Nor is it true that the enrollment under this law exhausts the militia.—Neither the law of Congress, nor the laws of the States, so far as we know them, have enrolled all able-bodied men capable of military duty. A wide margin yet exists in the law of the nation; but we do hear of this margin being written all over in the seceded States.

As to the objection to the 13th section providing the punishment of desertion for those who fail to appear, it is only necessary to say, we cannot presume the complainant will be guilty of failing to perform his legal duty subsequent to the draft, when he finds the law is valid which drafts him. He asks us to relieve him from the draft, not for a military trial for mis conduct. Whenever he chooses to incur the proposed penalty for disobeying a valid law, it will be in time for the proper tribunal to arrest an illegal mode of punishment.

The question of jurisdiction is unnecessary to a decision. The point is too important, the cases too numerous, and the labor too great. It should therefore be left for a decision when it shall have to be met.

For all these reasons, I concur in rescinding the order for a preliminary injunction.

☞Hosiery, Gloves, Handkerchiefs, Collars &c., cheap, at Stokes', next door to the Keystone Hotel, New Brighton.

BEAVER ARGUS:

Wednesday, Feb. 17, 1864.

O. L. IMBRIE, Editor & Proprietor.

For President in 1864,

ABRAHAM LINCOLN,

OF ILLINOIS.

For Vice President,

ANDREW G. CURTIN,

OF PENNSYLVANIA.

☞ A good Adams printing press for sale at this office. Price low.

☞We invite the attention of our readers to the learned and able opinion of Judge Agnew, on the legality of the Conscription Act, published on the outside of our issue of this week.

☞We learn from a citizen of Ohio township that the quota of that township has been filled under the President's call for 500,000 men.

☞A Temperance Meeting will be held in the Presbyterian Church, Beaver, on Thursday afternoon at 3 o'clock. All, both male and female, are invited to attend.

PRO. MARSHAL'S OFFICE, 24TH DIST, PA.
New Brighton, Feb. 8, 64.

Editor Argus: Dear Sir: The enlistment fee of $15 for new recruits, and $25 for veterans, will be paid to any non commissioned officer, private or citizen, who presents an acceptable recruit at this office.

JOHN CUTHBERTSON,
Captain and Provost Marshal.

☞ Dr. Thos. Donehoo, late of Wellsville, Ohio, having located in Beaver, will receive calls at his office, in the Southern extremity of the National Hotel, in this place, or door next the river.

STOLEN.—Two bags of wheat, belonging to Mr. Robert Cunningham, were stolen from the barn of Wm. G. Wolf, in Brighton tp., on Friday night last. The bags had the owner's name thereon. Mr. C. offers a liberal reward for any information that will lead to the detection of the thief.

BARGAINS.—Persons wishing to invest in real estate will find it to their advantage to call on M. B. Welsh, at his office in the Court House, as he is authorized to make sale of several farms; also town property.

☞The Virginia rebel Legislature has been lately occupied, in secret session, with the discussion of a resolution requesting the Confederate authorities to suspend the ban of outlawry against "Beast Butler" until an exchange of prisoners is effected. A Richmond paper of the 6th instant hints that the resolution was passed.

☞We have been informed, upon good authority, that amongst the rebel prisoners brought to Pittsburg last week, was a man who once held office in this county, and but a few years ago was one of the leaders of the Democratic party here. We will not give his name at present, lest there may be some mistake.

☞Bro. Long gives notice, in the last issue of the *Star*, that he is about to retire from the editorial management of that paper, and assume that of the *Daily Register*, published in Wheeling, West Va.,—but will continue to edit the *Star* until the March Term of Court. However far apart politically and personally, we wish him success, pecuniarily, in his new undertaking. Long, apart from his politics, is not a bad sort of a man, and if he will keep within the bounds of moderation will make a very readable sheet.

A Brutal Outrage.

Josiah Boll, a small boy of about twelve years of age, was riding on the platform of the cars on the P. Ft. W. & C. Railroad one day last week, when the Brakesman, without any warning, kicked him violently in the side, knocking him from the train upon the track, and injuring him so severely that it is feared he may never recover. The train was in motion at the time, and the wonder is the boy was not killed. The little fellow may have been doing wrong, but the conduct of the Brakesman was inhuman, brutal. The boy is still suffering severely from the injury.—We hope no pains will be spared to bring this monster to justice. We have not been able to learn his name, but got the fact from eye witnesses.—We have no doubt that as soon as the facts become known to the officers of the company, this man will be removed, as he should at once, and also that he will be compelled to answer for his outrage before a legal tribunal.

☞Men's and Boys' Clothing, Shirts, Drawers, socks, Boots and Shoes, selling cheap, at Stokes', next to the Keystone Hotel, New Brighton.

The State Senate and the Copperheads.

It is now more than a month since the Legislature of Pennsylvania assembled at Harrisburg, yet through the factious and disloyal conduct of the Senators who follow such traitors as Breckinridge, Vallandigham, Woodward & Co., the Senate has not yet been organized so as to proceed to business. By this conduct the State debt will be increased near two millions of dollars, and this sum the people must pay in addition to the immense expense which have been created during the war for the Union, by southern traitors and their friends and allies in the North, such as are now in our State Senate against the expressed will of the people. But we rejoice to be able to say that these scoundrels (for we cannot call them men) will soon be compelled to yield, and let the Government of the State be carried on by good and loyal men.

The letter of resignation of his seat by Maj. White, of the Armstrong and Indiana district, will give us a majority of one in the Senate as soon as one is chosen in that district, which is decidedly loyal. The election will be held on the 19th of this month.

The letter of Maj. White must be felt as a severe and cutting rebuke to the fellows who have so long and stubbornly stood in the way of the organization of the Legislature. That gallant soldier and patriotic gentleman, in his loathsome prison in Richmond, fully realizes that his continued confinement and cruel treatment is caused by an understanding between the traitors who hold him in captivity and the no less disloyal and traitorous men in the Senate and elsewhere in the North. Every man who reads knows that there was nothing to prevent his being exchanged but the fact that his vote was necessary to the organization of the Senate by the Union majority.

We would ask our readers to look over the long catalogue of attacks made by those who pretend to be Democratic leaders upon the rights of private citizens and the public liberties since the commencement of the rebellion, and they will be astonished at the patience and fortitude of their miserable and ignorant followers. It is as true, as the history of our country's troubles will show, that those attacks have contributed largely to the defeat of that party in every contest, and has brought shame and disgrace upon the leaders. This every citizen in Beaver county will say is true from his own observation. The immediate cause of the war was the manner of sustaining the tyranic and overbearing conduct of the slaveholders during the last of Buchanan's imbecile Administration.

There were other causes of the war in the distant past, but the immediate road that led to rebellion was opened under that miserable and disgraceful Administration. What was then called the Democratic party went down in utter disgrace and *ignominy*; but the leaders gathered no profitable experience from the lesson. Their own dogged tenacity held large numbers in the party, and although but few dared for some time to defend their evil, yet they managed to deceive their followers, and keep at least a portion of them in the traces. The present Democratic chiefs have strongly succeeded in deceiving thousands into the belief that they were right in committing the greatest crimes against humanity and liberty. Pursuing their wicked course with undaunted and unblushing front, these great Southern Democratic leaders and their allies broke up the old Democratic party in the conventions at Charleston and Baltimore in 1860, under circumstances of atrocious perfidy and despotism, and strange as it may appear now when men understand things better, they managed to secure a large vote in even the loyal States to endorse their rebellious course.

It was in vain that the Douglas Democrats and Republicans, showed to the people that the object of that arch traitor Breckinridge and his supporters, was to break up the Union.—The blind devotees of the party were driven by the leaders to the polls shouting for Breckinridge and howling forth their curses against the noble and patriotic Douglas.

Though every step taken by those men on the path of treason, was followed by unheard of calamities to our country, not one word of sorrow or regret was heard from the lips of the leaders, and they have become up to the present day pursuing the same insane course of crime and infamy.

The disaffection of Breckinridge ripened, as it was intended, into secession and foul and horrid rebellion. The leaders of the party in the South abandoned the Union, loaded with stolen goods, and steeped in perjury and crime against God and humanity. The appeals of the Democratic soldiers of our army for assistance and sympathy from those with whom they formerly associated unheeded, and the cause of our country too appealed in vain to the humanity and patriotism of the leaders. They pretended not to believe that Breckinridge was a traitor. They refused to allow the soldiers fighting for the integrity of their country to vote at the election, and in some States they found Woodwards were willing to disfranchise the men who dared to take up arms in defence of the Government, against the traitorous attacks of armed rebels; and these dastardly leaders as if to insult the patriotic feelings of the army and the people, selected such men as candidates for office as were known to be connected with Breckinridge. We have but to cite the cases of Woodward of Pennsylvania, and Vallandigham of Ohio.

A thousand facts to prove their atrocious conduct might be produced, but we will now only refer to the crowning act of perfidy in the revolutionary proceeding of the wretches who call themselves democrats, in the Senate.

Not one of the followers of Breckinridge has the manliness to raise his voice against the course they now pursue. Not one who has the principle or moral courage to rebuke the infernal nest of traitors, or to condemn the wrong they see committed. It is true they have not one among their number in that body who can claim to be even a tenth rate man—no one of even ordinary intelligence or capacity, and this must be the case when such men as Granny Hopkins can successfully aspire to be a leader.

There are thousands of honest and truly loyal men who call themselves Democrats, who would scorn to support such great wrongs, but they are deceived and blinded by prejudices of party. Then, in view of the facts of the case, let us resolve, no longer to submit to the plain violation of every principle and duty, but let us as with one mind and one heart, unite in the support of the Union and the Constitution; and trample under foot every one who will dare to do, or teach anything that will operate against the peace, prosperity, and glory of our beloved country.

☞The following beautiful extract is taken from a letter of Capt. J. Weyand, to the Carroll County (Ohio) *Press*. Capt. Weyand was formerly of this county, but now commands a company in the 126th Regiment Ohio Volunteers, belonging to the Army of the Potomac. The extract shows so much feeling, and is withal so beautiful, that we quote in full. The editor of the *Press* well remarks that friends should be thankful that sons and brothers are under the command of an officer who has a heart to feel, and sympathize with the men of his command, as does Capt. Weyand. The fate of his company has also been the fate of some of our companies:

"To night the ground is covered with snow, and in fitful gusts it is driven through the cracks of our huts, and along the narrow streets of our canvass-covered village. The air is cold, the wind fairly howls through the branches of the trees, and the whole camp is within doors, trying to keep warm, and shelter themselves from the pitiless storm. Poor fellows! Sometimes I think they and I have a hard lot. A year and a half ago, my company and I numbered 95 men, all in good health, and buoyant in spirit. They designated myself as their commander, and now but 36 are with me. The balance—some of them have been disabled and discharged; others have become diseased and sent to the hospitals; others have passed from my sight, and from the storm of conflict; while still others have had their blue uniforms buttoned more closely around them, and by their comrades laid peacefully in the grave. Thus one by one have they fallen by the wayside, or on the field of strife, until their billocks rise here and there along the line of their march. Good boys! Fireless soldiers! Heroes every inch! I can only drop the silent tear to their memory, and trust that the turf may always grow green above their heads, and the moving air sing a sweet requiem around the spots where they rest."

☞Gen. Rob't Toombs, the blatant secessionist, who threatened to call the roll of his slaves from Bunker Hill, has been arrested on an Alabama railroad car for traveling without a pass. When asked for one by the guard, Mr. Toombs said he had none, that he owed allegiance only to Georgia, and that State required no passport from her citizens. Gen. Toombs thereupon was ejected from the cars, and attracted a crowd of citizens and soldiers by haranguing against the tyranny of the Confederate Government. Gen. Beauregard, who was then in Savannah, hearing of Toombs' conduct, ordered him to be arrested and locked up, to the great admiration of an old lady, who quoted 'mid the laughter of the bystanders, some of Toombs' speeches, promising to "swallow the blood of Yankees." So much for Toombs and his treason against the United States.

List of Grand Jurors, March, '64.

COMMENCING 7TH DAY.

Darlington tp: Jno White, *Foreman*, Sam. Reed, John Grim.
Hanover tp: Thos. Adams, Samuel Richmond.
Frankfort boro: Stephen Briceland,
Rochester boro: Stephen B. Cross
Hopewell tp: Robert Duncan, Jos Irons.
Chippewa tp: Jos. Dunlap.
Moon tp: Wm. Doude.
Fallston boro: David Davis.
Franklin tp: N. N. Hazen.
North Sewickly tp: Wm. Kennedy.
Brighton tp: Wm. A. Laird.
Freedom boro: Robt. M'Caskey
Greene tp: John Moody, Jackson Swearingen.
Economy tp: John Y. Marks.
New Sewickly tp: Simon Otto, Jno Wagner
Raccoon tp: John B. Potter
Borough tp: R. W. Russell.
Marion tp: Austin Thomas.

PETIT JURORS—1ST WEEK.

Harmony tp: George Baner.
Freedom: George Baker, Thomas H. Cooper, Joseph P. Ecoff.
New Sewickly tp: Charles Barrett, John Fisher, Jacob Peirsol, Edwin Reeder, John Zinkhorn
North Sewickly tp: Hugh Bennett, David Graham, sr, Benj Whisler, Orville Jackson.
Big Beaver tp: Wm. Calhoun, Wm. Eakin.
Rochester boro: T. J Chandler, G. C. Speyerer, J. B Smith.
Ohio tp: Wm. W. Dawson.
Bridgewater: S. R. Dunlap.
New Brighton: Levi Foster, George Porter.
Brighton tp: Saml Gillespie.
Hanover tp: J. A. Gibb, David Little, Jackson Jenkins.
Patterson tp: Wm Harrison.
Beaver: John L. Hall, Jos May.
Industry: Saml Hoyt.
Borough tp: Paul Heberling.
Moon tp: Chas Johnston.
Economy tp: Henry Linnenbrink.
Raccoon tp: James M'Cullough.
South Beaver tp: Jos Martin.
Phillipsburg boro: Robert M'Lain.
Independence tp: Wm M'Coy.
Greene tp: Wm. Snowden.

SECOND WEEK.

Rochester boro: J. B. Breckenridge.
Big Beaver tp: Wm Beatty, C. P. Wallace.
Bridgewater boro: J. M Barbour, Thos Campbell
South Beaver tp: Milo Bradshaw, Nathaniel M'Clinton.
New Brighton boro: Abram Bestwick, Chas Hoops, Thos M. McCord, John Reeves, David Boyle.
Raccoon tp: Elijah Barnes, Abraham Christy, Danl Harvey.
Chippewa tp: Jos Brittain, William Scott, jr.
North Sewickly tp: Jos. H. Cunningham, Daniel Daniels.
Moon tp: Philip Cooper, Daniel Figley, Gotlieb Seif.
Beaver boro: D. M. Donehoo.
Darlington tp: Robert Dilworth, Wm Wbann
Industry tp: George Engle, Josiah Todd.
Franklin tp: Conrad Fisher.
Pulaski tp: Simpson Cuthbertson, Thos Ferguson.
Greene tp: Thos Kerr, George Poe.
Hanover tp: Samuel Moore, James Torrence.
Brighton tp: Isaac Noss.
Hopewell tp: David K Clever, David Patton.
Phillipsburgh boro: George Vogt.

PHILADELPHIA, Feb. 15, 1864.

It is strongly suspected that the attack upon the express train on the Baltimore & Ohio railroad, ten miles east of Martinsburg, the other night, was by a gang of robbers and cut-throats, penitentiary birds, and probably deserting Federal soldiers, from the loyal States, who had no connection with the rebels. The robbery of passengers was very general, not one of them escaping without the loss of something. One man lost over four thousand dollars. The passengers made no resistance, supposing themselves surrounded by an overwhelming force of rebels. A good many threw away their watches, money and jewelry, some of which have since been found. No insult was offered to the ladies, and no attempt made to take any one prisoner; neither was any effort made to burn the train. The deed was committed almost in sight of quite a strong Federal encampment. These things look very much as if the offending party was a band of robbers belonging to our own side.

A special telegram from Chattanooga, dated the 12th inst., says one thousand and twenty-seven deserters from Johnston's army have been registered during the present month.

There is positive information that Gen. Frank, with Cheatham's division of rebel troops, has been sent South to prevent a wholesale exodus of men into the Federal army.

Gen. Longstreet is being continually reinforced as rapidly as possible, but he has avoided any demonstration this week.

The Knoxville Railroad has been put in thorough repair. Sheridan's division has gone up on it and other troops will follow immediately.

It is said here that Morgan is to make a cavalry raid through Northern Alabama, Western Tennessee and into Kentucky.

There was a serious disturbance in Johnston's army, at Dalton, on the 9th inst. The 2d Kentucky refused *en masse* to be conscripted for the war in the rebel service, and they were placed under guard of the 39th Alabama.—Col. Woodward, Maj. Lewis and three captains of the 2d Kentucky, fired their revolvers into the Alabama regiment, killing and wounding forty men. Both regiments then pitched into each other in a general fight.

☞Ladies' Misses, and Childrens Balmorals and Gaiters, in great variety and newest styles, at Stokes', New Brighton.

Legislative Intelligence.

A Harrisburg correspondent writes as follows relative to certain matters of interest to the community at large: "An act to protect the tax payers of the Commonwealth," is one of the most important ever brought before the Legislature, inasmuch as it proposes to tax all real estate in Pennsylvania except burial grounds, and repeal all laws heretofore made, by which any property has been exempted from taxation. It is easy to imagine the excitement which the act must cause among the managers of scores of institutions which have been enjoying privileges for so many years past, their very names are forgotton. The bill (introduced by Mr. Boyer, of Clearfield) may possibly be too sweeping in its provisions, but the design is certainly one that will meet the approbation of all *bona fide* tax payers in the Commonwealth. The whole matter is, in a few lines, as follows:

Be it enacted, &c., "That hereafter no real estate in Pennsylvania (burial grounds excepted) shall be exempt from the just payment of county, city, borough or township taxes, and all laws inconsistent herewith be, and the same are hereby repealed."

The legal fraternity are interested in an act defining the equity jurisdiction of the several courts of the Commonwealth which provides that the Supreme Court, the District Courts, and the Courts of Common Pleas shall have general equity powers and jurisdiction; and that in all cases an appeal may be taken to the Supreme Court for the proper district, from the final decrees of the said courts, in equity, on the same terms and conditions as appeals are now allowed in equity cases.

LETTERS TO PRISONERS.—The question often recurs, "How shall we send letters to prisoners in the Confederacy so that they will reach their destination?" The following will answer the question: "Letters sent to prisoners and others within the rebel lines must not exceed in length one page of a letter sheet, and must relate to merely personal and domestic matters. They must be signed by the writer's name in full. They must be sent with five cents inclosed (in coin), if to go to Richmond, and ten cents (in coin) if they are to go beyond that point. They must be sent inclosed to the Commanding General Department of Virginia, at Fortress Monroe.—The letter for the prisoner must not be sealed."

JACKSON AND YAZOO CITY OCCUPIED.—A dispatch from Vicksburg on Sunday states that Jackson and Yazoo City are in the possession of the Federal army under Major General Sherman, after slight skirmishing, with but little loss to our forces. Generals Hurlbut and McPherson took possession of Jackson, while Yazoo City was occupied by Col. Coolis, after a short fight at Satartia, where the enemy made show of resistance, and killed a few of our men.

☞The House Military Committee on Monday considered at length the question of increasing the pay of soldiers. A bill was ordered to be prepared for that purpose, which will be brought before the House in a few days. The committee are considerably divided as to the amount of increase. It will probably be fixed at eighteen dollars per month.

FROM RICHMOND PAPERS.—Richmond papers of the 11th have been received to-day; they are filled principally with rebel Congressional matters. They allude to the new call of President Lincoln for two hundred thousand men, and urge the necessity for finishing their new military bills to reinforce their armies.

CLINTON FIGHT CONFIRMED.—Confederate dispatches of the 15th inst., by reports from rebel papers, the news of a fight with part of Gen. Sherman's forces, on the 4th inst., near Clinton, Miss. Our troops charged the rebel battery and lost fifteen killed and thirty wounded. Among the latter was Col. Rodgers, of Illinois. The enemy were driven, and our forces proceeded towards Jackson.

THE ENROLLMENT BILL.—Mr. Wilson, from Committee on Military Affairs, reported back the Enrollment bill on Monday, with a recommendation that the Senate disagree to the House substitute, saying that was the shortest way. The Senate accordingly sent it back to the House, which must now recede, or ask for a conference commitee.

☞The Richmond *Whig* of January 27, says:—The barbers of this city are now charging a dollar for shaving, two dollars for trimming the beard, and four dollars for trimming the hair and beard. We do not blame the barbers for charging these seemingly enormous prices. Flour is selling for two hundred and fifty dollars a barrel, and barbers must live as well as other people.

☞The latest styles Prints and Delaines at James R. Stokes', next door to the Keystone Hotel, New Brighton.

MARRIED—On January 28th, at the residence of the bride's father, by Rev D. D. Waugh, Mr. THEODORE F. BALKE and Miss SAMARTHA A. THOMAS, both of Beaver co., Pa.

On the 4th inst., Edward Randolph, Esq., Mr. JACOB GORRING, of New Sewickly tp., and Miss SARAH HARNODLE, of Butler county.

DIED—On the 10th inst., at the residence of his mother, in Economy township, RUFUS BROWN, aged about 15 years.

At Alliance, Ohio, Feb. 2nd, 1864, Mrs. E. A., wife of Mr. M. H. Robertson, aged 30 years.

Beaver Markets.

CORRECTED WEEKLY FOR THE "ARGUS."

Flour per bbl.			$7 00
do	" 100 lbs		3 75
Dried Apples per bushel			1 50
do Peaches	"	"	2 50
Wheat	"	"	1 25
Corn	"	"	1 20
Rye	"	"	1 00
Oats	"	"	76
Barley	"	"	1 00
Clover Seed,	"	"	8 00
Timothy Seed	"	"	3 00
Flax Seed,	"	"	3 00
Beans,	"	"	2 75
Potatoes,	"	"	70
Onions,	"	"	1 00
Corn Meal,	"	"	1 25
Eggs,	"	dozen	20
Butter,	"	lb	30
Hams,	"	"	13
Shoulders,	"	"	8
Sides,	"	"	9
Tallow,	"	"	10
Lard,	"	"	15
Candles,	"	"	16
Soap,	"	"	10
Molasses,	"	Gallon	75
Carbon Oil,	"	"	75

Time Table.

CLEVELAND & PITTSBURGH, R. R.

Beaver Station—GOING EAST.

Commencing, Monday, Nov 16, 1863.—*Trains leave Beaver Station as follows:*

8:30 A. M.	Arrives at Pittsburgh,	10:00 A. M.
2:20 P. M.	" " "	3:50 P. M.
8:54 P. M.	" " "	9:50 P. M.

GOING WEST—

Trains leave Pittsburgh as follows:

6:15 A. M.	Arrives at Beaver,	7:45 A. M.
3:00 P. M.	" "	4:25 P. M.
1:45 P. M.	Rochester	3:00 P. M.
1:45 A. M.	"	3:10 A. M.

J. N. McCULLOUGH, *Pres't.*

P. R. MYERS, *Gen'l Ticket Agent.*

PITTSBURG, FT. WAYNE & CHICAGO R. R.

Rochester Station—GOING EAST.

	Leaves Rochester	Arr. at Pitts.
1st Brigh'n Accom.	5:40 A. M.	7:20 A. M.
2d Brigh'n "	7:10 A. M.	8:40 A. M.
3d Brigh'n "	12:30 P. M.	2:35 P. M.
4th Brighton "	3:00 P. M.	4:50 P. M.
Mail,	5:15 P. M.	7:00 P. M.
1st Express,	1:05 A. M.	2:20 A. M.
2d Express,	2:05 P. M.	3:30 P. M.
Cincin'ti Exp.	6:45 P. M.	7:50 P. M.

GOING WEST—

	Leaves Pitts.	Arr. at Rochester.
Pacific Accom.	2:15 P. M.	4:00 P. M.
1st Brigh'n Accom.	9:15 A. M.	11:00 A. M.
2d Brigh'n "	12:00 M.	1:32 P. M.
3d " "	4:30 P. M.	6:10 P. M.
4th " "	5:40 P. M.	7:20 P. M.
Mail,	7:00 A. M.	8:30 A. M.
1st Express,	1:45 A. M.	3:00 A. M.
2d Express,	1:44 P. M.	3:00 P. M.

AUG. BRADLEY, Supt., E. D.

Quarterly Statement of Bank of Beaver County

New Brighton, Feb., 1864.

RESOURCES.

Notes and bills discounted, active	$51,947 30
Same under protest	100 00
U. S. 6-20 5 per cent. coupon bonds	95,150 00
U. S. 7 3-10 per cent. treas. notes	4,850 00
Furniture and office fixtures	1,968 95
Due from other banks	23,685 54
Notes and checks of other banks and U. S. Treasury notes	27,212 44
Coin in vault	5,754 41
Protest account	1 41
Current expenses	400 00
	$210,960 65

LIABILITIES.

Capital stock paid in	$102,400 00
Notes in circulation	1,235 00
Due depositors	103,574 51
Due the Commonwealth	603 64
Profits, and earnings	1,986 70
Dividends unpaid	1,161 00
	$210,960 65

I certify that the above statement is true and correct according to the best of my knowledge and belief. EDWARD HOOPS, Cash'r.

Affirmed and subscribed before me, this 3d day of February, A. D., 1864.

T. M. McCORD, Notary Public.

Farm for Sale.

THE subscriber offers at private sale his Farm, situated in Chippewa township, 3 miles from New Brighton, containing 216 acres, 140 of which is cleared and under a good state of cultivation. The improvements consist of one log house with four rooms, to which is attached a frame kitchen; one superior bank barn, and other out buildings. Also a good house, stable and orchard for tenant. This place is well water with abundance of good coal. Also a large orchard of the best grafted apple trees, one hundred budded and other peach trees, twenty-five grafted pear trees, and a large collection of May-dukes, English and Black cherries, plumbs, &c.

This farm will divide, and will be sold to suit purchasers. Title good, and conditions easy. DAVID THOMAS.

fe17:tf Chippewa tp., Beaver co., Pa.

PITT., FT. W. & CHICAGO RAILWAY CO.,
OFFICE OF THE SECRETARY,
Pittsburgh, Pa., Feb. 12, 1864.

THE Annual Meeting of the Stock and Bondholder of this Company for the election of Directors, and for such other business as may come before it, will be held at the Office of said Company, in the city of Pittsburg, on the *Third Monday of March*, A. D. 1864, at 10 o'clock a. m. The Stock and Bond Transfer Books of the Company, at their Office in the city of Pittsburg, and at their Transfer Agency in the city of New York, will be closed on the 1st day of March, at 3 o'clock, p. m., and remain closed until the 17th day of March thereafter. (fe17) W. H. BARNES, Sec.

A Card.

HAVING sold our entire stock of Dry Goods, Boots, Shoes and Clothing, at New Brighton, to JAMES H. STOKES, we take great pleasure in recommending him to the citizens of this vicinity, as an exceedingly clever, agreeable and accommodating salesman, and solicit for him the custom of our former patrons, and all others in want of good goods at low prices. M'CLELLAND & CO.

New Brighton, Feb. 1, '64.

EXECUTOR'S NOTICE.

WHEREAS letters testamentary on the estate of BENJ. M'GAFFICK, late of Ohio twp., Beaver county, Pa., dec'd, having been granted to the undersigned, all persons indebted to said estate are requested to make immediate payment, and those having claims against the same will present them properly authenticated for settlement.

WM. B. M'GAFFICK,
JESSE M'GAFFICK, } Brighton tp,
AND W M'GAFFICK, Chippewa tp,
feb10,64 Executors.

Estate of Harvey Gamble, dec'd.

LETERS of administration on the estate of HARVEY GAMBLE, late of Greene township, Beaver County, Penna., dec'd, having been granted to the undersigned, all persons indebted to said estate are requested to make immediate payment, and those having claims against the same will present them properly authenticated for settlement.

JAMES BRITTAIN, Adm'r.,
feb3:6t Greene tp

Sheriff's Sale.

BY virtue of Sunday writs of Levari Facias and Fieri Facias and Venditioni Exponas, issued out of the Court of Common Pleas of the County of Beaver and to me directed, I will expose to public sale at the Sheriff's office in the borough of Beaver, in the county aforesaid, on

Saturday, March 5th, 1864,

at 10 o'clock in the forenoon, the following property, to wit:

All the right, title, interest and claim or the defendant, of, in and to the following tract of land situated in North Sewickly tp., Beaver county, Pa., bounded as follows: Beginning at the north-west corner at a chestnut tree, on the east bank of the Beaver Creek, thence by land of the heirs of James Kennedy, due north 87 degrees, east 178 perches to a post, thence by land of David Warnock, south 6¾ degrees, east 124 perches to a post, thence by land warranted in the name of Henry Knox, south 78 degrees, west 280 perches to a beach tree on the bank of Big Beaver Creek, thence up said creek, north 17 degrees, east 99 perches to the place of beginning, containing 175 acres, and allowance of 6 per cent. being part of tract warranted 14th April, 1792, in name of John Rhea, about 70 acres cleared and in a good state of cultivation, on which are erected a two story frame dwelling house 20 by 36 feet in length and breadth, a double log barn and out-building, 160 about acres underlaid with a vein of bituminous coal.

Seized and taken in execution as the property of Emmet B. Thompson, at the suit of James Thompson's Adm'rs., and Matthew Thompson and Samuel Kennedy.

No. 2. ALSO.

At the same time and place, all the right title, interest and claim of defendant of, in and to the following piece or parcel of land in Greene tp., Beaver county, Pa., bounded on the north by the Ohio River, on the east by Hayden's heirs, on the south by public road, and on the west by Thomas Kerr, on which is erected a small frame house with cellar underneath, also a steam saw-mill, with engine, 11 inch cylinder, boiler 20 feet long and 38 inches in diameter, mill in good running order; good fruit on the premises.

Seized and taken in execution as the property of Henry H. Singleton, at the suit of Eli Barnes.

No. 3. ALSO.

At the same time and place, all the right, title, interest and claim of defendant, of, in and to the following described property, to wit: Lots Nos. 90 and 91 in Gould's first subdivision of lots in the borough of Rochester, Beaver county Pa., Bounded north 33½ feet by lot No. 23, east 125 feet by lot No. 89, south 107 feet by Jackson Street, and west 132½ feet by New York Street; on which is erected a frame dwelling house, stable and out-buildings. Well of water convenient.

Seized and taken in execution as the property of F. M. McCallem, at the suit of Samuel J. Cross & Co.

No. 4. ALSO.

At the same time and place, all the right, title, interest and claim of defendant, of, in and to all the undivided one-half of all that tract or parcel of land in Greene township, in the county of Beaver, and State of Pennsylvania, and bounded and described as follows: Beginning at a Beech on the bank of the Ohio river, thence by land of Allison, south 61½ deg west 52 perches to a sugar tree, south 5 deg east 18 perches to a post, thence by land of David Warnock, south 69½ degrees, east 124 perches to a post, thence by land warranted in the name of Henry Knox, south 78 degrees, west 280 perches to a beach tree on the bank of Big Beaver Creek, thence up said creek, north 17 degrees, east 99 perches to the place of beginning, containing 175 acres, and allowance of 6 per cent. being part of tract warranted 14th April, 1792, in name of John Rhea, about 70 acres cleared and in a good state of cultivation, on which are erected a two story frame dwelling house 20 by 36 feet in length and breadth, a double log barn and out-building, 160 about acres underlaid with a vein of bituminous coal.

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No. 3. ALSO.

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Seized and taken in execution as the property of F. M. McCallem, at the suit of Samuel J. Cross & Co.

No. 4. ALSO.

At the same time and place, all the right, title, interest and claim of defendant, of, in and to all the undivided one-half of all that tract or parcel of land in Greene township, in the county of Beaver, and State of Pennsylvania, and bounded and described as follows: Beginning at a Beech on the bank of the Ohio river, thence by land of Allison, south 61½ deg west 52 perches to a sugar tree, south 5 deg east 18 perches to a post, thence by land of Andrew Sweny, south 86 deg east, 137 perches to a post, thence by land of Dr. M. Lawrence, north 63½ deg east, 100 perches to a gum and post, thence by land of Andrew Sands, south 68 deg east, 11 7-10 perches to a post, north 45 deg east, 12 perches to a post, north 60 deg east, 15 perches to a post, thence by land of heirs of Dr. Goodrich, north 27 deg east 21 5-10 perches to a post, thence by lands of Andrew Sweeny, north 24 deg west, 11 7-10 perches to a post, north 52 deg west, 28 perches to a post, north 48 deg east, 11 4-10 perches to a post, thence by lands of John Christler, north 56 deg west 90 perches to a post, thence by the Ohio river, south 60¼ deg west, 41 8-10 per to a post, south 42 deg west 52 3-10 per to a post, thence by land of Levi Barnes, south 48 deg east 39½ perches to a post, south 48 deg east 27½ perches to a post, south 60 deg. west 16 4-10 perches to a post, thence by land of Levi Barnes or C Hecathern, south 73 deg west 31 per to a post, thence north 40 deg west 12 per to a post, thence by the Ohio river, south 50 deg west, 10 perches to the place of beginning, containing One Hundred and Twenty-Eight acres, and bounded by lands of John Christler, Andrew Sweeny and Jonathan Allison; about 80 or 90 acres cleared and under fence, on which is erected one large brick dwelling house, two stories high, with cellar underneath. Also, one large barn and other out-buildings, fruit trees, and plenty of good water. The above property has two good veins of coal on it, one of which is open, and in working order.

Seized and taken in execution as the property of Charles H. Shriner at the suit of James Jackson.

No. 5. ALSO.

At the same time and place all the right, title, interest and claim of defendant of, in, and to a piece or parcel of land in Raccoon tp., Beaver county, Pa., bounded north by the Ohio river, east by land of Wm. Porter, south by land of Briggs, and on the west by land of Briggs, containing ten acres, more or less; the above described land underlaid with coal. Also, one lot of ground in Industry, being No. 38, 50 by 140 feet in length and breadth, on which is erected a frame house, 1½ stories high, 14 by 16 feet in length and breadth; lot enclosed and planted with fruit trees.

Seized and taken in execution as the property of Francis W. Walker at the suit of James Johnston.

NO 6. ALSO.

At the same time and place, all right, title, interest and claim of defendant, of, in and to the following piece of lot of ground, situate in the borough of Rochester, Beaver county, being No. 339, in Pinney's plan of lots in said borough, bounded on the north by the public square, on the east by lot No. 340, on the south by Washington street, and west by lot No. 338, fronting 50 feet on the public square and extending back 150 feet to Washington street, be the same more or less, on which is erected a two story frame house, and out-buildings; lot enclosed and planted with fruit trees.

Seized and taken in execution as the property of Jacob Ross and Mary his wife, at the suit of Thos Parkinson.

☞ Purchasers will take notice that 10 per cent. upon all amounts of their bids will be required in hand. All bids under $50 will be required in cash at the time of the sale. If these conditions are not complied with the property will be re-sold.

JOSEPH LEDLIE, Sh'ff.

SHERIFF'S OFFICE,
Beaver, Feb 16, '64.

☞ Purchasers are required to pay all Stamp duties.

SECOND Army Corps.

THE undersigned has been authorized to recruit men for the

140th Regiment Pa. Volunteers,
~~or for any Penna.~~ regiment or battery.

Government Bounty—

To Veterans	$400
" Others	$300

Large local Bounties are also being paid.

☞ For full particulars inquire at the office, New Brighton, Penna., opposite the Post Office.

WM. S. SHALLENBERGER,
1 Lieut. & Adj't. 140th Pa. Vols.
feb10'64 Recruiting Officer.

List of Causes for Trial March Term, 1864, Commencing 1st Monday.

1ST WEEK.

J. W. Decker's ex'r	vs	John Mellon, et al
Jacob J. Noss,	"	John Blake's Adm's
Lukens & Beeson,	"	Darlington M E church
James Collins & Co.	"	W. M. Shirts, et al
Patterson Davidson	"	Martha Souders
A. R. Nye,	"	William Gill, et al
T. & W. Walton,	"	Carroll Martin et al
John H. Camp,	"	Wm. Alexander, Jr.

2ND WEEK.

Robert Hall,	vs	Alexander Robertson
James F. Scott,	"	Samuel Reed
Abraham H. Davis,	"	Thomas K. Watt
John Beatty's Ex'r	"	N. C. & B. V. R. R. Co.
William Jones,	"	same
Andrew Smiley,	"	same
Abram Toms,	"	Geo. Alexander
Commonwealth use,	"	John Dull's Executor
Alfred Campbell,	"	R. Campbell's Adm'rs
Fred. Kizer et use,	"	Wm. Welsh, et al
J. S. McCoy's ex'r	"	James H. Trimble, et al

Feb 1, 1864. M. WEYAND, Proth'y.

LICENSE NOTICE.

LIST of applicants for License at March Term, 1865.

INNS OR TAVERNS:

John Davis	Darlington boro,
Samuel Shronds	Hopewell tp,
Chas. F. Kaercher	Phillipsburgh boro,
William Yost	New Sewickly tp,
Alexander Clark	Beaver boro,
Charles Laturner	Beaver boro,
John Grebing	New Galilee.

TO SELL LIQUORS IN QUANTITIES NOT LESS THAN ONE QUART WITH OTHER GOODS.

John Bigger	Ohio tp.
Mary Alexander	Rochester boro.

JOHN A. FRAZIER, Clk.

Beaver, Feb. 10'64.

LIST OF LETTERS

REMAINING in the Post Office at Rochester, Pa., Feb 1st, 1864:

Becker John	McConnell Malinda
Burks John	Seyler James
Bradly Clarissa	Simpson Miss Mary
Campbell Andrew	Splndt Mr G
Carry William	Stewart P J
Daily Miss Nancy	Seabold Mrs Mary J
Decker J A	Smith Miss Laureta
Evans Miss Hattie	Thompson Mrs Nancy
Eliot Mrs. Charlotte	Thompson John
Grinder George	Turver George
Helms Mary A	Taylor E M
Jasen Even	Young Joseph F
Mercer Levi	Zinkhann Margaret
Merriman Miss Ada S	

Clairvoyant"—Miss Sally——

T. M. TAYLOR, P. M.

EXECUTOR'S NOTICE.

WHEREAS letters testamentary having been granted to the undersigned, on the estate of WILLIAM GLENN, Jr., dec'd., late of Greene tp., Beaver co. Pa, all persons knowing themselves indebted to said estate are requested to make payment immediately and those having claims against the same will present them to the subscriber duly authenticated for settlement.

JOHN SMILEY,
Executor.

Jan. 20, '64.

PEN-KNIVES, Scissors, Gum Hair Pins, Purses, Port Monaies, Needles, Tweezers, Pencil-sharpeners, Spool Cotton, Thread, Pins, &c., for sale at the Drug Store of

dec9 DR. C. P. CUMMINS.

REGISTER'S NOTICE.

A[illegible] hereby given to the following named persons, that the accounts hereinafter mentioned have been filed in the Register's Office, of Beaver county, Pa., will take notice that the same will be presented to the Orphan's Court, to be held in Beaver, on Wednesday, the 9th day of March, 1864, for confirmation and allowance.

The first and final account of Michael Conkle, Sr., Administrator of the estate of John Conkle, dec'd.

Final account of James Moore, administrator of the estate of Thomas Moore, deceased.

The final account of Joseph C. Wilson, administrator of the estate of Martha Keating, dec'd.

The final account (real and personal) of Joseph C. Wilson, administrator, de bonis non, with will annexed of John Nikle, dec'd.

The final account (personal) of Andrew Watterson, executor of the last will of William Scott, dec'd.

The final account of John Hidemiller, administrator of the estate of J. C. Teale, dec'd.

The final account of Jacob Householder, executor of the last will of Philip H. Pflug, dec'd.

The final account of Eli Ramsey, acting executor of the last will of Robert Ramsey, dec'd.

The final account of John Garrard, administrator of the estate of John Eaton, dec'd.

The final account of James Todd, Jr., administrator of the estate of James Todd, Sr., dec'd.

The first and final account of Daniel M. Donehoo, administrator of the estate of John Glenn, dec'd.

The first and final accounts (Real and Personal) of William K. Boden, administrator of Samuel S. Hamilton, dec'd.

The final account of William K. Boden, administrator of Francis Mayer, dec'd.

The first and final accounts (Real and Personal) of Richey Kahle, Executor of the last will of David Eakin, sr., dec'd.

The Guardian accounts of Joseph Brittain, Guardian of Josiah H. & Ann Elizabeth Brittain, minor heirs of John Brittain, dec'd.

The Guardian accounts of R. V. Rhodes, Guardian of William, Elijah, Sarah Jane & Ann Eliza Powell, minor children of Eleazer Powell, dec'd.

The Guardian account of Daniel Risinger, Guardian of Wm. Morton, jr., minor son of Wm. Morton, sr., dec'd.

The Guardian account of Benj. M'Farlin, Guardian of Mary Emma Powell, minor daughter of Eleazer Powell, dec'd.

The Guardian account of Jos. C. Wilson, Guardian of Maria J. Scott, minor heir of James Scott, dec'd.

The Guardian accounts of Joseph Mehaffey, Guardian of Elisabeth J., & Mary Agness Glenn, minor heirs of John Glenn, dec'd.

The Guardian account of P. Mulvenon, Guardian of Edwin H. Dodds, minor son of James H. Dodds, dec'd.

The Guardian account of John Thomas, Guardian of Thomas B. Daniels, minor son of Daniel Daniels.

The Guardian account of Jackman T. Stockdale, Guardian of Susan E. Calhoun, minor heir of Thos. D. Calhoun, dec'd.

The Guardian accounts of John Weaver, Guardian of Sebastian, Stephen and Ellen Small, minor children of Martin Small, dec'd.

The Account of Regina Miller, Administratrix of John Miller, dec'd, who was Guardian of John, Martin, Catharine and Adam Freshcorn, minor children of Adam Freshcorn, deceased.

The Account (real estate) of Wm. Whan, administrator of the estate of Clement Z. Souders dec'd.

ALFRED R. MOORE,
Feb. 3, 1864. Register.

Notice in the Orphans' Court.

The following appraisements under the Act of Assembly of the 14th of April, 1851, of property allowed to be retained by a widow or children of a decedent, to the value of $300, have been filed in the Office of the Clerk of the Orphans' Court, of Beaver county, and approved *nisi*.

Personal property to the amount of $300, elected to be retained by the widow of Jeremiah Hannibal, late of Economy township, deceased, Charles Brown, Adm'r.

Real and personal property to the amount of $198, by widow of Samuel Miller, late of New Gallilee, deceased, William Whan, Esq., Adm'r.

Personal property to the amount of $300, by widow of John Ewing, late of the Borough of Frankfort, deceased, Thomas Nicholson, Esq., Adm'r.

Personal property to the amount of $300, by widow of Christian Leffler, late of Brighton township, deceased, Peter Angel, Adm'r.

Personal property to the amount of $300 by widow of George Dawson, late of the Borough of Glassgow, deceased, Benoni R. Dawson, William Dawson, Ex'rs.

Personal property to the amount of $300, 20, by widow of Milton McMinn, late of Darlington township, deceased, I. A. W. Edgar, Esq., Adm'r., Mary Jane McMinn, Adm'rx.

Real Estate, lot No 7, situate in the Borough of New Brighton, claimed to be retained in part or otherwise to the amount of $300, by widow of Francis Webb, late of New Brighton, deceased, Mary J. Webb, Ex'rx.

Personal property to the amount of $300, by widow of Dr. George W. Allison, late of the Borough of Beaver, deceased, Thomas Allison, Adm'r.

Personal property to the amount of $300, by widow of James Reed, Sr., late of Hanover township, deceased, James Reed, Jr., Adm'r.

Personal property to the amount of $300 by the widow of Terran T. Shaffer, deceased, late of the borough of New Brighton.

BENJAMIN BEDISON, Adm'r.
SARAH E. SHAFFER, Adm'x.
JOHN A. FRAZIER,
Beaver, Feb. 3d, 1864. Clerk.

Notice in the Orphan's Court.

THE following named accounts have been filed in the office of the Clerk of the Orphan's Court for Beaver county, to-wit:

The account of Wm. K. Boden, Trustee appointed to make sale of real estate of Robert Robertson, dec'd.

Also the account of same as Trustee appointed to make sale of real estate of Abraham Wolf, dec'd.

Notice is hereby given to all persons interested in said accounts, that the same will be presented to the Orphan's Court to be held at Beaver, on Wednesday the 9th day of March, 1864, for confirmation and allowance.

feb3 JOHN A. FRAZIER, Cl'k.

A Valuable Farm For Sale!

THE subscriber will sell a tract of land, situate in North Sewickly township, Beaver county, Pa., containing [illegible] acres, on the State Road from Beaver to New Castle, near the Connequenessing Bridge. The land is of a superior character, called loose land—very productive, and being first and second creek bottom, can nearly all be made into meadow. It is well watered by good springs of excellent water. There are about 8 acres cleared, the balance in timber. Coal is abundant, near the Farm. There is on the premises, a good two-story Frame House, in which a Store and Post Office are now kept, with a good Stable and out-buildings. There is a Grist and Sawmill, within half a mile.—A Presbyterian and Baptist Churches, and a male and female Seminary, and Common Schools, within less than a mile. The neighborhood is good. Persons desirous of having a good Farm with superior advantages around it, have now an opportunity of purchasing.

WM. B. CLARKE,
Att'y at Law,
Beaver, Pa.

Beaver Academy.

THE FALL TERM opens on the first day of SEPTEMBER. Addres

S. B. MERCER, Principal.
aug13:6

BEAVER DRUG STORE.

Opened in the Room formerly Occupied by the late Dr. Minis.

THE Subscriber having purchased the Establishment, and intending to keep constantly on hand all articles usually found in Drug Stores.

Being a Physician and Druggist, the public may rely on his keeping the PUREST and BEST DRUGS.

A variety of other articles will also be found in his establishment:

Tea, Extract of Coffee, Rosin Soap, Fancy Soaps, Port Monies, Combs.

ALL ARTICLES FOR THE TOILET.

SPOOL COTTON, LEAD PENCILS, NEEDLES, STEEL PENS, HAIR BRUSHES, TOOTH BRUSHES, TOBACCO, SEGARS, LETTER, NOTE, & FOOLSCAP PAPER.

Carbon Oil Lamps and Chimneys.

These are a few of the articles, and only a few always on hand. Call and see.

He will try, by close attention and fair dealing, to give satisfaction to all who may favor him with their custom.

C. P. CUMMINS, M. D.

☞ Particular attention will be paid to putting up Physicians prescriptions. [aug 27

NEW GROCERY AND PRODUCE STORE.

THE subscriber respectfully announces to the citizens of Beaver and vicinity, that he has opened a GROCERY & PRODUCE STORE in the room formerly occupied by Stokes & Tallon, and directly opposite the *Argus* office, where we will keep constantly on hand and for sale a large assortment of Groceries, such as

COFFEE, TEA, SUGAR, RICE, MOLASSES, SYRUP,

Also, FLOUR, POTATOES, and all other articles usually kept in a Grocery store.

Country produce taken in exchange for goods, at the highest market price

dec9 T. T. McKIBBIN.

A NEW AND BEAUTIFUL EDITION OF THE MISTAKES OF EDUCATED MEN.

BY JOHN S. HART, LL. D.

12MO., muslin, price 50 cents; paper covers, 25 cents. Copies of this book will be sent by mail on receipt for the price, in postage stamps. Plese address

J. C. GARRIGUES, Publisher,
143 South Fourth street, Phil'a. Pa.

mar26.

Beaver Seminary.

S. B. MERCER, Superintendent

BOARD OF DIRECTORS.

Rev. D. H. A. M'LEAN, D. D.
" D. A. CUNNINGHAM.
" C. P. CUMMINS, M. D.

THE FALL TERM of fourteen weeks opens on TUESDAY, the first day of September.

Rates per term for board and furnished Room, ... $40 00

☞ For full particulars address

S. B. MERCER, Beaver, Pa.

aug12:4

BEAVER SEMINARY AND INSTITUTE

Rev. R. T. Taylor, A. M., Prin.
Mrs. A. S. Taylor, Governss.

THE NEXT TERM WILL COMMENCE

Tuesday, March 24th, 1863.

And continue 14 weeks. The aim of the school is to make its pupils thorough, especially in the Common Branches.

A Normal Class,

for the benefit of those wishing to fit themselves for teaching, will be formed at the commencement of the term.

Board, Room rent, &c.	$38 00
Tuition varies from $3,50 to $8,00	

☞ For further particulars inquire of the President of Faculty.

mar4'63 R. T. TAYLOR.

Beaver Hotel, JOSEPH HALL, Proprietor, Beaver, Pa.

HAVING thoroughly fitted up this house, he is now prepared to accommodate his friends, and the public generally, in the most satisfactory manner. [may62

PITTSBURG WATER CURE

NO Curative Agency is superior to HYDROPATHY for the treatment of all forms of Diseases, and no Institution in this country possesses greater facilities for its administration than this.

☞ For Pictorial Circular address

DR. W. N. HAMBLETON,
Pittsburg, Pa.

Special Notice.

THE Proprietors of the Girard House Philadelphia would respectfully call the attention of business men and the travelling community to the superior accommodation and comfort offered in their establishment.

aug.19:2m KANAGA, FOWLER, & Co.

AMBROTYPES!!

GOOD, SUBSTANTIAL, LIFE-LIKE PICTURES can now be had at the COURT-HOUSE, IN BEAVER.

These pictures are not mere dashes, but warranted SUPERIOR to any that have ever been made in Beaver county, by any other artist. To be convinced, call and examine specimens. I will remain but a few weeks.

☞ Gallery in the same room occupied by me in 1857.

Apr9 C. A. GRIFFIN.
Photographic Artist

C. P. CUMMINS, M. D.....J. M. CUMMINS, M. D

C. P. Cummins & Son,

OFFER their professional services as Physicians and Surgeons, to the citizens of Beaver and vicinity. They can always be found, when not professionally engaged, at the Drug Store of C. P. Cummins, M. D.

Dec3'62

For Sale at the Beaver Drug Store

MARTIN'S COAL OIL BURNERS—THE 'LITTLE MONITOR'—to burn oil without chimneys, a splendid affair. Also Carbon Oil Lanterns without chimneys.

For sale at Drug Store of C. P. Cummins—Gun Powder, Young Hyson and Black Teas, all good; Coffee, Ext. Coffee, Dandelion Coffee, Gold pens, Spectacles, Golden Syrup for table use, a prime thing; a cheaper article of Syrup, very good; vinegar, fluming, hand scrubing brushes and salt.

Zant currants and Raisons for sale at C P Cummins' Drug Store.

BENTEL, ARBUCKLE & CO.

MANUFACTUTERS OF

CARBON OIL,

ROCHESTER,

BEAVER COUNTY, PA. [ap2

HELP SOLDIER'S TRUE FRIEND!

ALWAYS READY. HOLLOWAY'S OINTMENT.

LONG marches, sore and stiff joints, blistered and inflamed feet, all these the soldier must endure, MOTHERS, REMEMBER THIS, when your sons are grasping their muskets in most danger, think what relief a pot of this ALL HEALING & COOLING Salves will give to the one you love when far away from home and friends. It hardens and makes tough the feet so that they can endure great fatigue. It soothes and relieves the inflamed and stiffened joints, leaving them supple, strong and vigorous, while for

SABRE CUTS AND GUNSHOT WOUNDS

at stands unequalled, removing and preventing every vestige of inflammation and gently drawing the edges together, it quickly and completely heals the most frightly wounds.

WIVES AND SISTERS OF OUR VOLUNTEERS

Yo cannot put into the Knapsack of Husbands and Brothers, a more valuable nor more necessary gift than a supply of this

EXTRAORDINARY MILITARY SALVE.

The lonely sentry walking his ronuds at night, exposed to drenching rains and chill night air, is often seized the most VIOLENT PAINS, COUGHS and SUFFOCATING HOARSNESS, first symptoms of QUICK CONSUMPTION, but, if supplied with HOLLOWAY'S PILLS and HOLLOWAY'S OINTMENT, all danger is averted, a few PILLS taken night and morning, and the ointment diligently rubbed twice a day over the throat and lungs will remove the SEVEREST PAINS, stop the most distressing or DANGEROUS COUGH

Therefore we say to the whole army

SOLDIERS ATTENTION

See to your own health, do not trust to the Army supplies although most valuable. These PILLS and OINTMENT have been thoroughly tested, they are the [illegible] remedies used in the European Camps and Hospitals, and for over forty years Doctor Holloway has supplied all the armies in Europe, and during the CRIMEAN CAMPAIGN he established a depot at Balaclava, for the exclusive sale of these GREAT REMEDIES, many a time his special Agent there has sold over a ton in weight of the Ointment in a single day. Those terrible and fatal enemies of the Soldier in Camp, DIARRHEA, DYSENTERY, SCURVY, SORES and SCROFULOUS ERUPTIONS, all disappear like a charm before these PILLS AND OINTMENT, and now while the Cry rings throughout the land,

TO ARMS! TO ARMS!!

Do not let these brave men perish by disease, place in their hands these PRECIOUS REMEDIES, that will enable them to resist the dangerous exposures, the Fevers, the Chills, and the wounds which they cannot avoid, and what is more, cannot frequently get succor in the moment of need, whereas if our brave men have only to put their hands into their Knapsacks and find there a sure remedy for all the casualties of the battle field. How many thousands of lives would thus be saved who would otherwise perish before relief could be obtained.

CAUTION.—None are genuine unless the words "*Holloway, New York and London*," are discernable as a water-mark in every leaf of the book of directions around each pot or box; the same may be plainly seen by *holding the leaf to the light*. A handsome reward will be given to any one rendering such information as may lead to the detection of any party or parties counterfeiting the medicines or vending the same, knowing them to be spurious.

☞ Sold at the Manufactory of Professor HOLLOWAY, 80 Maiden Lane, New York, and by all respectable Druggists and Dealers in Medicines, throughout the civilized world, in boxes at 25 cents, 62 cents and $1 each.

☞ There is considerable saving by taking the larger sizes.

N. B.—Directions for the guidance of patients in every disorder are affixed to each box.

May 7.

TO PHYSICIANS & DRUGGISTS.

THE undersigned would inform Physicians and Druggists that, owing to an increasing demand, he is now prepared to manufacture on a larger scale than heretofore all articles of the Pharmacopœia. These will be of the strength and quality as dispensed in the Prescription Department of my store, and will be found superior in strength to most in market. I guarantee them to be of the proper strength and purity.

Some preparations offered are new, but will be made official in the new Pharmacopœia soon to be issued, and will be found to be valuable remedies.

Any information as regards their strength, uses and qualities will be sent to those desiring it.

I would advise Physicians who have been disappointed in the effect of any remedy, to try those of my manufacture.

They include—

Compound Extract of Colocynth,

Fluid Extracts of Dandelion, Buchu, Ergot, Gentian, Lipulin Valerian, Wild Cherry Bark, and others,

Citrate of Irod and Citrate of Iron and Quinine; very soluble,

Wine of Iron and Wine of Iron and Bark agreeable; chalybeate,

Syrup of the Hypophosphites,

Cerate of the Extract of Cantharides; a more reliable preparation than the common Cerate,

Oxalate of Cerium; useful in obstinate vomiting,

Elixir of Valerianate of Ammonia; a valuable remedy for nervous or sick headache, where a nervous stimulant and antacid is indicated,

Solution of Bi-meconate of Morphia: same strength as Laudanum and more agreeable in its effects,

Pyro-phosphate of Iron; soluble.

These, together with all rare and fine chemicals and other medicinal articles, furnished in any quantities.

I am prepared to make chemical examinations of Ores, Drugs, Oils, Waters, &c.

GEO. W. WEYMAN,
Cor. 3d & Smithfield sts., Pittsburgh, Pa.

DR. GEO. CLEIS,

OFFERS his professional services to the citizens of BEAVER AND SURROUNDING VILLAGES.

His Office is in Phillipsburg for the present, where he can be consulted at any time, Wednesdays excepted, which days he can be seen at his office in Pittsburg, where he has practiced for more than twenty years.

Dr. Cleis calls the attention of the afflicted to the following diseases:—Scrofula, Diseased or Weak Eyes, Rheumatic Affections, Female Complaints, Chronic Diseases of long standing—all of which he treats with remarkable success. dec23 :4t.

ADMINISTRATOR'S NOTICE

WHEREAS letters of administration on the estate of HENRY COWAN, Sr., late of Greene township, Beaver county, a., deceased, having been duly granted to the undersigned, all persons indebted to said estate are notified to make immediate payment, and those having claims against the same will present them properly authenticated for settlement without delay.

HENRY COWAN, Jr.,
fe58'64. Adm'r.

ADMINISTRATOR'S NOTICE

WHEREAS letters of administration on the estate of JOHN M. LUKENS, late of the boro. of Rochester Beaver co., dec'd, having been granted to the undersigned, all persons indebted to said estate are requested to make immediate payment, and those having claims against the same will present them properly authenticated for settlement.

MARY LUKINS, Adm'rx.
fe58'64. Rochester, Pa

Office of JAY COOKE,

SUBSCRIPTION AGENT,
At JAY COOKE & CO., Bankers,
114 SOUTH THIRD STREET,
Philadelphia, Nov. 1, 1863.

THE undersigned, having been appointed SUBSCRIPTION AGENT by the Secretary of the Treasury, is now prepared to furnish

NOTICE.

Joseph Dunlap vs. Sarah Dunlap.

In the Court of Common Pleas of Beaver county, No. 4, Sept. Term, 1863. Libel in Divorce.

To the respondent in above case:—You are hereby notified to be and appear before the Hon. Judges of the Court of Common Pleas of Beaver county, at a Court to be held in Beaver, in said county, on the 1st Monday (7th day) of March, 1864, to answer the complaint of Joseph Dunlap in the above case.

JOSEPH LEDLIE, Sh'ff.

Beaver, Jan. 6, '64.

NOTICE IN PARTITION.

BEAVER COUNTY, ss:—In the Orphans' Court of said County, in the matter of the partition of the real estate of Jesse Smith, deceased. To John B. Smith, Isaac Jamison and Susan his wife, heirs and legal representatives of said deceased, and all others interested: Take notice that an Inquisition, to make partition and valuation of said real estate, will be held upon the premises on the 18th day of December, 1863, at which time and place you may attend if you think proper

dec2 JOS. LEDLIE, Sh'ff.

House and Lot for Sale.

SITUATE in the most business part of Beaver, Beaver county, Pa. There is a large Store Room, well finished, on said property—lately occupied by Wilson & McGaffick, now occupied by Anderson & Orr. The dwelling part, now occupied by the subscriber, is well calculated for a Tavern stand. Good stabling, cistern, Ice House, Ware House, and all necessary out-buildings. For particulars enquire of J. C. WILSON.

Beaver, Dec. 16, '63.

Notice.

BANK OF BEAVER COUNTY,
New Brighton, Oct. 12, 1863.

The Stockholders of the Bank of Beaver County are hereby notified that the Annual Meeting, will be held at the Banking House, in New Brighton, on Tuesday, the 3d day of November ensuing, between the hours of 8 and 5 o'clock, P. M, And the election for Directors to serve the ensuing year, at the same place, on Monday, the 16th, day of November, between 10 A. M., and 3 P. M., of said day. By order of the Board of Directors.

EDWARD HOOPS, Cashier.

Dividend No. 11.

BANK OF BEAVER COUNTY,
New Brighton, Nov 7, 1863.

THE Directors of this Bank have this day declared a DIVIDEND OF FOUR PER CENT. on its Capital Stock, out of the profits of the last 6 months, payable to Stockholders or their legal representatives, free of the Government tax, on demand.

EDWARD HOOPS,
nov11'63 Cashier

Valuable Property for Sale.

TWO out-lots—No. 14 and 15—situated in the town of Beaver, late the estate of Dr. S. Cunningham, dec'd., is now offered for sale. For further particulars enquire of

jan13 D. S. MARQUIS, Ex'r.,
Rochester, Pa.

Valuable
REAL ESTATE FOR SALE.

THE House and Lot belonging to the heirs of Col. JOSEPH H. WILSON, deceased, situate on the North side of the Diamond, in the boro' of Beaver. Also out-lot No. 16, adjoining the east end of said borough, containing Eight Acres, is now offered for sale. For particulars enquire of

JOHN H. WILSON, Franklin tp. or
A. E. MOORE, Beaver.

dec23'63

T. M. McCord, Notary Public.

OFFICE WITH
B. B. CHAMBERLIN, ATTY AT LAW,
(Near the Provost Marshal's office,
BROADWAY, NEW BRIGHTON,
BEAVER COUNTY, PA.

PROMPT attention given to the drawing of EXEMPTION PAPERS, and all matters connected with the draft; also oaths administered, acknowledgments taken, &c., &c. [dec16

ADMINSTRATOR'S NOTICE.

NOTICE is hereby givenen that letters of administration upon the estate of Dr. GEORGE W. ALLISON, late of the borough of Beaver, Beaver county, Penna., dec'd, have been granted to the undersigned. All persons knowing themselves indebted to said estate are requested to made immediate payment, and those having claims against the same will present them properly authenticated for settlement.

THOMAS ALLISON, Administrator,
dec1 23'63-5t. Bridgewater, Pa.

ADMINISRATOR'S NOTICE.

WHEREAS letters of administration on the estate of JAS. REED, sr., late of Hanover tp., Beaver co., dec'd, having been granted to the undersigned, all persons indebted to said estate are requested to make immediate payment, and those having claims against said estate will present them to the subscriber properly authenticated for settlement.

JAMES REED, jr., Adm'r.,
jan6'64. Hanover tp.

ADMINISTRATOR'S NOTICE.

LETTERS of administration on the estate of ISAAC PEIRCE, late of Big Beaver tp, Beaver co., dec'd, having been granted to the undersigned, all persons indebted to said estate are requested to make immediate payment, and those having claim gainst said estate will present them to the subscriber properly authenticated for settlement.

JOHN W. PEIRCE, Administrator,
jan6'64 Darlington.

Dr. D. M'Kinney,

OFFERS his professional services to the citizens of

BEAVER AND VICINITY.

OFFICE IN
The Shannon Building, S. E. Corner of
dec16] *the Diamond, Beaver, Pa.*

Estate of Col. R. P. Roberts.

LETTERS testamentary on the estate of Col. RICHARD P. ROBERTS, late of the borough of Beaver, deceased, having been issued to the undersigned, all persons indebted are required to make immdiate payment, and those having claims will present them, properly authenticated for settlement.

WM. HENRY, Executor & Trustee.

Fallston, Dec. 21, '63.—*

LIST OF LETTERS

REMAINING in the Post Office at Beaver, Pa., Jan. 30, 1864.

Carothers, T C	Knox, M A
Calhoun, Austin	Kramer, John
Ewing, George	McQuiston Maggie
Harvey, James	Merriman, Mary J
Hutchison, James C	Phillis, Rebecca
Hideiger, John J.	Rodgers, Clark
Hustin James	Strock, David
Henderson, Wm	Wright, Lou
Jolly, Capt. Jack	

☞ Persons calling for letters in the above list, will please say they are advertised.

M. J. ANDERSON, P. M.

T. J. CHANDLER,
SURGEON DENTIST.

IS at his post again, at BEAVER STATION, Rochester, Pa., where he will attend to all the various branches of his profession. He applies all the improved methods to prevent pain in the extracting teeth.

☞ Work warranted. [jan16'63

RECEIPTS AND EXPENDITURES
AT THE TREASURY OF BEAVER COUNTY, DURING THE YEAR 1863.

STATEMENT.

Dr. RECEIPTS. Cr.

To Cash received during the year, as per Treasurer's account, exclusive of balance of last year,	$53,765 68
	$53,765 68

Cr. EXPENDITURES.

By warrants issued during the year on the following accounts, viz:			
Agricultural Society, per Act of Assembly,			$100 00
Assessors' pay—Assessments &c.,			443 75
Auditor' pay—William Chaney,	$40 00		
do William K. Boden,	46 00		
do John Stewart,	32 00		
do Joseph Ledlie, (State Auditor)	33 00		151 00
Borrowed money, Bonds and Bounty Loans,	4,200 00		
do Warrants for Bounty Loans 1862,	31,017 00*		
do do do 1863,	3,953 00		
do Interests on Bonds and Bounty Loans,	5,425 68		44,595 68
Building—building,	$1,057 87		
do repairing &c.,	287 63		1,275 50
Commissioners' pay—James Wilson,	366 00		
do do —Daniel B. Short,	424 00		
do do —William Barnes,	428 00		
do do —John H. Beghley	94 00		1,312 00
Clerk to Commissioners, Richard H. Agnew,			450 00
Counsel to do Roberts & Hice, Esq., s			100 00
Commonwealth cases, viz:			
Clerk Quarter Sessions, fees,	148 50		
Constables' fees,	124 28		
District Attorneys' fees, including Counsel in the Barker case,	525 81		
Boarding and washing, prisoners,	819 56		
Ironing prisoners, $1.25, Jailors fees, $20.00	21 25		
Jurors Boarding of, $96.00, Justices fess, $21.15,	117 15		
Physicians at Jail,	64 80		
Sheriff conveying convicts to Penitentiary &c.,	56 00		
Watchman at Jail,	164 00		
Witnesses fees,	721 53		2,762 85
Execution of E. F. Shutz, viz:			
Recapture, after escape from prison,	134 76		
Scaffold, coffin and other expenses,	46 45		
Sheriff executing Death Warrant,	12 00		
Subsisting Guard at Execution,	11 48		204 69
Ooroners Inquest—Coroners fees,	42 59		
do Jurors and Witnesses,	27 25		
do Expenses, of,	15 95		
do Post mortem examinations,	42 20		127 99
Courts expenses, viz:			
Clerk Quarter Session, general fees,	106 02		
Constables attending,	178 38		
Constables returns and mileage,	79 86		
Criers of Court,	64 00		
Grand Jurors, $420.00; Petit Jurors $1656.56,	2,076 63		
Janitor of Court House, John Gibson,	107 50		
Prothonotary's fees,	50 11		
Sheriff, summoning Jurors,	103 00		2765 50
By amount brought forward,			$54,288 96
Court House Office and Jail, viz:			
Dockets, Duplicates, Stationery, &c.,	194 85		
Firing Furnace, Attendance, &c., at Jail,	250 00		
Fuel, &c., C. H., $171.60; Jail $234.96,	406 56		
Incidental expenses, C. H. $90; Jail $58.42,	144 03		
Printing $294.40; Postage $7.31,	301 71		
Recorders' fee,	5 75		
Repairs, C. H., $44.19; Jail $196.23,	240 40		1548 30
Elections, General and Township, viz:			
Assessors attending, lists, &c.,	123 80		
Constables do notices, &c.,	165 74		
Election officers' pay,	688 74		
Use of houses, fuel, lights, &c.,	52 47		980 75
Hospital—Western Pa., support of inmates,	386 42		
House of Refuge, do do	554 45		
do conveying to,	22 25		
Western Penitentiary—support of convicts,	37 28		1000 40
Jusices fees, swearing county and township officers, and issuing certificates of Fox scalps,			52 76
Poor House, support of paupers,	5150 00		
do Directors' pay, Henry Goehring,	25 00		
do do John White,	25 00		
do do Samuel Wilson,	25 00		5,225 00
Railroad Bonds and Coupons,			3,767 79
Taxes—abatements and exonerations,	75 84		
Errors in assessment, &c.,	20 96		
Harmony Society—on Railroad Bonds, 1861, '62 & '63 refunded,	4828 75		
Lost Taxes, Collectors' returns of,	712 31		
Militia Fines, 1858 & prior, uncollectable,	110 00		
Supervision Returns, Unseated Lands,	2 75		
Taxes and costs refunded in land improperly sold,	18 75		
do and Interest due State, arreages for years, prior to 1862,	3088 43		8857 77
Volunteers, Bounties for 1862,	325 00		
do Relief of Families of,	3834 95		
do Secretary of Relief Bond,	50 00		4209 95
		$79,926 68	
Deduct Warrants for *Bounty Loans*, 1862*		31,017 00*	
Nett amount warrants, 1863,		48,909 68	
Excess, nett receipts,		4,856 00	
		$53,765 68	

*This amount, $31.017 00 was not reported in 1862, among the issues of warrants for that year. At the time of issue, the understanding was that those warrants would be lifted by bonds, when an act for the purpose could be procured. Under the impression that in this State of *transition*, they were not properly included among the issues of their year, as they would be substituted by bonds, and never redeemed as warrants in the ordinary manner; but their interest as accruing paid by other warrants, and the bonds principel and interest finally paid by warrants for the purpose, (those lifted by bonds having been then already cancelled and filed away)—thus effecting a reduplication of indebtness against the County, and the holders were willing to retain them as such, until finally redeemed;—excepting in one instance where, at the holder's request two of them, (amounting to $500) were lifted by bonds.—Finding this omission thus rendered erroneous, and not desiring to withhold the knowledge, (although in fact imparted by the Treasurer's and Stock accounts in amounts borrowed and outstanding at the end of 1862) they are now included in the Expenditures of this year, as of 1862, and deducted at the end of the account to show the *nett issues* of 1863. The warrants for bounties *converted into Loans* to the County, were reported last year as embraced in the amount of *Bounties paid*.

GEORGE C. BRADSHAW, ESQ., IN ACC'T WITH BEAVER COUNTY.

Dr. Cr.

JANUARY 4, 1864.				JANUARY 4, 1864.			
To balance in Treasurer's hands			$8,935 26	By cash paid on general warrants,			$55,596 87
" cash received on unseated land, prior to 1863,	22 87			" " on road views,	155 00		
" " of collectors, " "	6,660 49			" " Fox scalps,	60 00		
" " do interest, " "	142 43	6,825 79		" " redemptions of unseated lands,	111 55	326 55	
" " tax-payers, before Aug. 1st,	30,236 50			" abatements allowed tax-payers,	1,511 82		
" " do Sept. 1st,	1,341 54			" Commissions allowed collectors of militia fines,	32 88		
" " collectors for 1863,	7,299 70			" exonerations " " "	355 50	1,900 20	
" " do poll tax at elections,	65 57	38,943 31		" Treas. comm'n on amount rec'd, $57,342.94 at 2 per cent	1,146 85		
" " John Brown, bond for costs,	181 50			" do do borrowed money $1405 10c			
" " J. Patterson do "	10 00	141 50		1 per cent,	14 06		
" " Eli Reed, Coroner,		90		" do do paid out $56,728 92c 2 pr. ct.	1,125 68	2,286 46	
" " James Wilson, for brick & stones,		1 50		Balance,		2,590 84	
" " Washington Co. half repair bridges,		86 25					
" " Relief money returned,		9 00					
" " borrowed money,	5,358 00						
" " redemption money,	107 40	5,465 40					
" " levy of militia fines, 1863,		865 00					
" " Excess of premium from State, over 5 per ct. allowed tax-payers,		197 81					
" " omitted on tax-book, but collected,		58 24					
" " State Treasurer, refunded by "Board of Claims," Volunteer's Uniforms &c., 1861,		1176 98					
		$62,700 94				$62,700 94	
To balance in Treasurers hands, Jan. 4, 1864,		$2590 84					

TABLE OF TAXES LAID IN THE SEVERAL TOWNSHIPS FOR COUNTY PURPOSES, AND Amounts Credited and Due by Collectors for the year 1863. Also balance due on State Tax.

TOWNSHIPS &c.,	Levy of 1863.	Gr's am't pd Treas of Aug. 1	Gr's am't pd treas. of Sep. 1	Charg'd to Collect's	Paid by Collectors.	Unseated Lands.	Com. all'd Cols.	Due by Collectors Co. Tax.	Due by Collectors St. Tax.	COLLECTORS.
Beaver boro	1394 87	1142 71	18 36	233 80	151 75	6 52	.....	75 53	.....	James H. Dungan.
Big Beaver tp	1621 96	1089 40	25 84	506 72	319 99	6 81	.....	179 92	.....	Hugh Marshall, Jr.
Borough tp	950 71	688 68	51 43	210 60	111 72	7 54	.....	91 34	.....	James H. Dungan.
Bridgewater boro	1008 00	744 90	22 66	240 44	54 46	15 42	.....	170 56	.....	William Barnes.
Brighton tp	1467 43	1097 12	127 41	242 90	222 08	8 68	12 14	.....	.....	Andrew Carothers.
Chippewa tp	1211 20	540 25	56 10	614 85	403 28	5 83	.....	205 74	.....	William Lindsay.
Darlington boro	301 74	181 46	.....	120 28	35 55	14 00	.....	70 73	.....	Alex. Anderson.
Darlington tp	2066 40	1272 04	73 87	720 49	684 24	13	36 02	.....	.....	James Murray.
Economy tp	1879 94	1007 22	26 86	835 86	203 74	2 40	.....	729 72	.....	Daniel J. Campton.
Fallston boro	619 16	454 80	19 56	144 80	134 44	3 12	7 24	.....	.....	Thomas Parrott.
Frankfort boro	214 59	173 33	4 76	38 50	36 57	.....	1 93	.....	.....	Hugh McCutchen.
Franklin tp	969 89	814 00	11 60	144 30	88 47	.....	.....	55 92	.....	Tobias S. Nye.
Freedom boro	580 31	405 02	6 16	169 13	160 68	.....	8 45	.....	.....	Christian Haller.
Georgetown boro	267 92	152 94	.....	114 98	87 00	1 00	.....	26 98	28 97	R. D. Dawson.
Glasgow boro	184 51	59 50	.....	125 01	77 82	1 50	.....	45 69	.....	Daniel M. Russell.
Greene tp	1957 91	1298 00	29 48	630 43	320 35	.....	.....	310 08	.....	Samuel Leeper.
Hanover tp	2721 29	2058 73	198 53	464 03	282 88	50	.....	230 65	.....	Robert Keiffer.
Harmony tp	4748 22	4748 22	.....	.....	.....	.....	.....	.....	.....	Treasurer.
Hookstown boro	311 70	217 58	.....	94 12	89 42	.....	4 73	.....	.....	Nathaniel Blackmore.
Hopewell tp	1741 37	910 41	62 16	768 80	150 77	.....	.....	618 03	.....	Joseph A. Fleming.
Independence tp	1292 63	825 58	18 24	448 21	173 50	.....	.....	274 71	.....	Daniel Alexander.
Industry tp	842 35	375 69	40 20	426 06	127 66	3 33	.....	295 67	.....	Joseph Ammon.
Marion tp	594 32	477 85	... 66	115 81	38 45	.....	.....	82 36	.....	Henry Schramm.
Moon tp	1171 79	682 25	44 43	495 11	154 75	.....	.....	340 36	.....	Charles Johnston.
New Brigton boro	2398 47	1256 32	64 69	1077 46	1000 71	22 88	53 87	.....	.....	William Rebont.
New Sewickly tp	1906 48	1118 34	58 49	729 65	223 52	4 03	.....	502 10	.....	William Zinkhorn.
North Sewickly tp	1342 09	860 40	46 45	435 15	282 36	3 32	.....	149 47	.....	Richard S. Barton.
Ohio tp	1832 10	1254 04	108 97	469 09	440 14	6 56	23 45	.....	.....	William L. Rayl.
Patterson tp	555 00	330 64	.....	224 36	8 15	3 00	.....	213 21	.....	James Wilson.
Phillipsburgh boro	420 17	367 84	.....	52 33	49 72	.....	2 61	.....	.....	George Vogt.
Pulaski tp	725 97	413 35	18 05	294 57	147 92	6 40	.....	140 25	.....	Hugh M'Guire.
Raccoon tp	1435 01	918 26	85 94	430 81	297 05	.....	52	183 24	.....	Samuel Gormley.
Rochester boro	1377 61	885 92	57 08	484 61	449 08	11 30	23 23	.....	.....	J. B. Breckenridge.
Rochester tp	560 88	321 56	24 54	214 78	176 29	12 19	.....	26 25	.....	Thomas Hays.
South Beaver tp	1507 01	1194 06	28 02	284 93	270 69	.....	14 24	.....	.....	Robert B. Rayl.
	44181 05	30286 50	1841 54	12603 01	7299 70	145 92	188 88	4968 51	28 97	

Delinquent Collectors for Years Prior to 1863, and Balances of Taxes Due January 4, 1863.

COLLECTORS.	TOWNSHIPS &c.	Yr's	Co Tax	St Tax	COLLECTORS.	TOWNSHIPS &c.	Yr's	Co. tax	St tax
William Thompson	Darlington tp	1852	47 62	15 78	Amount brought forward			181 56	116 48
Elihu Evans	Patterson tp	1856	124 42	100 70	Benoni Dawson	Glasgow borp	1859	51 91	8 16
Robert Nelson	Pulaski tp	1856	9 72	.....	Geo. W. Shroads	Moon tp	1861	161 74	.....
Amount carried forward			181 56	116 48				336 21	124 64

BEAVER COUNTY STOCK

Dr. Cr.

JANUARY 4, 1864.				JANUARY 4, 1864.			
To amount outstanding on general warrants	336 83			By balance in Treasurer's hands,			2,090 84
" " " " Bounty Loans,	27,266 68	27,023 51		" am't in Collectors' hands, prior to 1863,		885 21	
" " " " Bonds &c.,		66,566 43		" " " " for "		4,968 61	5,853 72
				" " " unseated lands, prior "		158 70	
				" " " " for "		145 62	304 32
				" John Roberts, Sheriff, prior to "		108 87	
				" do do do "		242 82	351 69
				" H. Sutherland, for stove, Balance,			19 99
							76,570 07
		$87,189 94					$87,189 94

Given under our hands and Seal of Office, at Beaver, this 28th Day of January, A. D. 1864.

SEAL

Attest: RICHARD H. AGNEW, Clerk.

DANIEL B. SHORT,
WILLIAM BARNES,
JOHN H. BEIGHLEY,
Commissioners.

ACCOUNT OF ALL MONEYS
Rec'd and Expended by the Directors of the Poor and House of Employment of Beaver Co: for the year ending Dec. 31, 1863.

STATEMENT.

Dr. Receipts.

Balance in Treasury Dec. 31, 1862,		$7 17
To cash rec'd of County Treasurer,	5150 00	
" " " James Britten Committee,	154 33	
" " " proceeds of farm &c.,	118 15	5422 48
		$5429 65

Cr. Expenditures.

By cash paid, for Merchandize and groceries,		$594 55	
" " Support of insane paupers,		1594 08	
" " do out-door do		337 53	
" " Flour, wheat, meat and butter		441 97	
" " Coal,		222 29	
" " Insurance,		85 25	
" " Clothing and Shoes,		87 04	
" " Ferriage and Toll,		25 85	
" " Stove fixture and chairs,		8 00	
" " Constables' and Justices' fees,		85 29	
" " Taxes $3,20; recording Deed, $1.85,		5 05	
" " Clover seed,		7 00	
" " Smithing and Threshing,		88 95	
" " Coffins,		28 62	
" " Postage and subscription to "Argus" & "Star"		7 53	
" " Advertising receipts and expenditures 1862,		23 00	
" " Male and female hire,		870 37	
" " Stewards' salaries,		837 50	
" " Miscellaneous items,		17 47	
" " Removing privy,		2 00	
" " Medical attendance, out-door paupers,		69 69	
" " Removing paupers,		102 99	
" " Stock hogs and cattle,		213 50	
Am't carried forward,		4606 52	

Expenditures.

By amount brought forward,	$4606 52
" cash paid payment on farm,	200 00
" " Treasurer and Attorney,	35 00
" " Lumber,	37 75
" " Building grain house &c.,	80 00
" " Skiff,	19 00
" " Kitchen ware and repairing,	14 20
" " Farming utensils and repairing wagon,	18 25
" " Repairing buildings,	52 89
" " Physician's salary,	99 92
" " Directors' do extra,	82 00
" " Drugs,	8 00
" " Carding and spinning, &c.,	4 55
" " Balance in Treasury Dec. 31, 1863,	22 20
	$5429 65

Nors.—Of the above amount $1168,34 were disbursed by James Brittain, the late Stewart, $4,038, William Shroads, present Stewart.

BEAVER ACADEMY.

Dr. P. L. GRIM, TREASURER IN ACC'T WITH BEAVER ACADEMY, FOR THE YEAR 1863. Cr.

To Balance in Treasury per last report,		994 53	By paid	S. B. Mercer, warrant,			67 00
" cash of Wm. Cairs on judgment,		85 00	" "	Thos. Allison, Treas.,			150 00
" " John Border, rent,		35 00	" "	Rev. W. W. Laverty,			110 00
" " Proceeds of sale, Academy,		1500 00	" "	Rev. D. A. Cunningham, building,			30 50
" " bank of Pittsburgh, May and Nov., dividend,		490 00	" "	D. Ramsey, new building,			600 00
" " Bridgewater Presbyterian Church,		50 00	" "	S. B. Mercer,			134 00
			" "	D. Ramsey,			1000 00
			" "	do			200 00
			" "	S. B. Mercer,			160 00
			" "	Treasurer's salary, 1 year,			25 00
				Balance,			10 53
		$2564 53					$2564 53

Exhibit of the Finances of Beaver Academy, for the year ending Dec. 31, 1863.

Am't of judgments and bonds, with interest,	907 25	By Am't brought forward,	$7533 89
" " Notes for Tuition,	126 64	" One Piano (valued at)	75 00
" " Bal. purchase money, Academy buildings,	1500 00	" Am't Academy lot with new improvements unfinished, valued in present condition, at	2000 00
" " Bank Stock,	5000 00	" Cash in Treasury,	192 60
Am't carried forward,	$7533 89		$9806 89

BEAVER COUNTY, ss.

We, the undersigned, Auditors of Beaver County, do hereby certify, that we have examined and audited the foregoing account of Philip L. Grim, Treasurer of Beaver Academy, together with the vouchers for the same and Exhibit of the Stock of said Academy, and believe the same to be correct as they stand stated. In witness whereof we have hereto set our hands this 4th day of January, A. D., 1864.

JOHN STEWART,
WILLIAM CHANEY,
J. McCLURE, } Auditors.

COLLATERAL INHERITANCE TAX.

Account of Collateral Inheritance Taxes received and disbursed by Alfred R. Moore, Esq., Register, during the year ending November 30, 1863

1863.			1863			
To Balance due last year,		3 33	February 2,	By State Treasurer's Receipts,		3 33
" Cash received from estate of Stephen Stone,		371 30	" 28,	" " " "		332 74
" " " " " John Shafer,	54 43		March 28,	" " " "		97 05
" " " " " Jane Shafer,	26 85		April 21,	" " " "		36 88
" " " " " Mary J. Shafer,	22 49		May 13,	" " " "		279 28
" " " " " John Boggs,	42 50		July 30,	" " " "		17 90
" " " " " Rebecca Hull,	125 88		Aug. 5,	" " " "		41 00
" " " " " Thompson Hull,	169 68		Sept. 30,	" " " "		98 71
" " " " " John Shafer,	4 50		Nov. 10,	" " " "		14 29
" " " " " Alex. M. Anderson,	18 85			" Appraisers' receipts,		4 50
" " " " " James Miscampbell,	38 59			" Commission on $1018,92a5 pr ct.		50 94
" " " " " Nathan Thompson,	103 90			Balance due Commonwealth,		20 26
" " " " " Hannah Shannon,	16 62					
" " " " " Rhebe A. Strickland,	20 00					
	$1018 92					$1018 92

BEAVER COUNTY, ss.

I do hereby certify, that the above is a true Statement of the Collateral Inheritance Taxes as received and disbursed by Alfred R. Moore, Esq., Register in and for the County of Beaver during the year ending November 30, A. D. 1863.

M. B. WELSH, Auditor

To the Commissioners of Beaver County.